

NATIONAL MUNICIPAL REVIEW

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THE LEAGUE'S BUSINESS

Two-day Meeting of Officers.—The vice presidents and council of the National Municipal League met at the Union League Club of Chicago on February 21 and 22. The following officers and staff members were present:

Richard S. Childs, New York City, *president*; Louis Brownlow, Chicago; C. E. Merriam, Chicago; Thomas H. Reed, Ann Arbor; A. Leo Weil, Pittsburgh; Harold S. Buttenheim, New York City; Morris B. Lambie, Minneapolis; Mrs. Virgil Loeb, St. Louis; William P. Lovett, Detroit; William B. Moulton, Chicago; Chester H. Rowell, Berkeley; Laurence A. Tanzer, New York City; Howard P. Jones, *public relations secretary*; Harold W. Dodds, *editor*, NATIONAL MUNICIPAL REVIEW; and Russell Forbes, *secretary*.

The following were also present as invited guests:

Guy Moffett, New York City; Clarence E. Ridley, *secretary*, International City Managers' Association, Chicago; Colonel Edward Davis, United States Cavalry, Chicago; Edward M. Martin, *public affairs secretary*, Union League Club of Chicago; and H. L. Woolhiser, *village manager*, Winnetka, Ill.

The opening session was a general discussion of the present status of the League's work. Before luncheon four committees were appointed by the president to make a critical study of various phases of the League's activities. These committees were appointed to study and to report on: (a) the NATIONAL MUNICIPAL REVIEW; (b) membership promotion; (c) financial appeals to individuals and foundations; and (d) publicity work and promotion of the League's principles. These committees met during luncheon and considered their respective subjects at length. The afternoon session was given over to receiving and discussing the reports from these critical committees.

The session on the forenoon of February 22 was devoted to discussion of the business affairs of the League. The Hon. Murray Seasongood, former mayor of Cincinnati, and the Hon. William Tudor Gardiner, governor of Maine, were elected as members of the council to fill vacancies for the three-year term ending December 31, 1933. Howard Strong, executive vice-president of the Wilkes-Barre Wyoming Valley Chamber of Commerce, was appointed as a member of the executive committee of the council, in place of Dr. Charles A. Beard, who is now second vice president.

On the recommendation of the secretary, the council voted to change the fiscal year to coincide with the calendar year. The executive committee was authorized to formulate and to adopt a budget for the nine-month period from April 1, 1931 to December 31, 1931. Thereafter the annual budget is to be adopted for each calendar year.

The council authorized the executive committee to include in the budget for 1931 whatever sum is necessary to employ a financial secretary whose function it would be to organize membership councils in different cities and to increase the number of contributors wherever possible. The executive committee was also authorized to appoint a finance committee of the council to supervise the work of promotion of membership and contributions.

The council voted to hold the 1931 convention in Buffalo on November 9, 10 and 11.

At this closing session a number of valuable suggestions were made for future committee work and research projects as a means for broadening the League's work program. The executive committee was authorized to appoint committees to carry out any or all of such recommendations.

This is the first time in the history of the organization that the officers met for two days to discuss its work program and business affairs. It was the consensus of opinion of all those present that such meeting should be held at least once a year in the future.

RUSSELL FORBES, *Secretary*.

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EDITORIAL COMMENT

The political reformers of the United States who gather at the annual convention of the National Municipal League believed, in 1920, that they had found in the city manager plan the correct solution of the problem of how to organize our American city governments. In 1931 they are convinced that their thesis has now been proved by ample experience.—(Richard S. Childs, writing in the February *Review of Reviews*.)

✱

Cleveland is experimenting with a low zone fare for its street railway in the shopping and business district along Euclid Avenue between the Public Square and East 22nd Street. The fare within this zone is now 3 cents and it has been demonstrated that this low rate stimulates car riding within the territory. As a revenue measure, the innovation appears to be successful. At the 3-cent fare, the street railway appears to be producing slightly more revenue than did the regular rate of fare.

For a full report of the experiment see the article by A. F. Blaser, chief engineer of the Cleveland Street Railway Commission, in the Notes and Events department of this issue.

✱

For the second time the legislature of Missouri has before it a proposed constitutional amendment dealing with

the reorganization of the administrative department of the state government. The present proposal is very similar to the one introduced two years ago. It would do away with the popular election of the secretary of state, attorney general, treasurer, auditor, and superintendent of public schools. It would vest in the governor the power of appointing the heads of these departments and would provide an executive budget under the control of the governor. At this writing it is impossible to predict what action the legislature will take.

✱

The theoretical automobile capacity of a street is greatest when the cars are moving at 23.5 miles per hour, according to M. O. Eldridge, assistant director of traffic of the District of Columbia, speaking to the American Road Builders' Association at their recent convention in Washington. Assuming four-wheel brakes and an average length of cars of 14 feet, 2,600 cars per hour can be accommodated in a single traffic lane. With speed increased to 35 miles an hour, only 2,340 cars can move along a single traffic lane in one hour. At 45 miles per hour the number drops to 1,760. The reason, of course, lies in increased intervals which must be maintained between cars if reasonable safety is to be assured.

Roy I. Kimmel, a graduate student of Yale University, who is also a member of the Connecticut house of representatives, has begun an attack upon the rotten boroughs of the state in the interest of fair play for the larger cities. In the last election, Mr. Kimmel asserts, 153,000 Democratic voters elected 85 members to the state house of representatives, while 93,000 Republican voters elected 182 members.

Rotten boroughs are not unusual in American state government. Sometimes they take the form of political gerrymanders but on other occasions they result from the deliberate purpose to restrict proportionate urban representation in the state legislature. Several years ago, Lane W. Lancaster pointed out in the REVIEW that five-sixths of the population of Connecticut elected less than one-third of the legislature.

Surely the time has come to reëxamine our representative system or cease talking about government by majority.

*

The old governmental system of guilds is one of the best forms of government ever devised. Thus does Governor Larson of New Jersey defend the 72 boards and commissions, aggregating 500 members, against the recommendation that they be supplanted by a small number of centralized departments. The reformers, continues the governor, would change what is really government by representative bodies into government by autocratic heads who may have no knowledge of the affairs they are administering.

The same week in which Governor Larson released the above, Governor Fisher, retiring after a four-year term, declared in his final message to the legislature of Pennsylvania that centralization of the financial functions of the state had brought a large measure of relief to other departments. Quan-

tity buying, he said, alone has effected marked savings which will become more pronounced as the system of centralized purchasing is more fully developed. Consolidation of administrative functions, introduced in the first administration of Gifford Pinchot and extended somewhat in the administration of Governor Fisher, enabled the retiring governor to hand on a surplus to his successor in contrast to the deficit which was the usual inheritance of the incoming governor of Pennsylvania prior to 1923.

*

A New Style in Speed Limits

It is well known that current methods of fixing the legal speed limits for automobiles are not proving satisfactory. Driving conditions are varied and the fixed limits which would hold traffic uniformly to a speed of 30 to 25 miles per hour are coming to be considered obsolete. To avoid the difficulties of rigid limits some states have introduced the so-called *prima facie* clause, under which an operator arrested for exceeding the speed limit is only *prima facie* guilty and may introduce evidence showing that under the conditions which obtained he was not in fact driving in a dangerous manner.

Three or four other states have abolished speed limits entirely, requiring that operators should at all times drive at a reasonable and proper speed. Motorists who have had experience with the enforcement of this type of control in Connecticut and elsewhere know that the "rule of reason" may be most arbitrarily applied.

For these reasons the National Conference on Street and Highway Safety in coöperation with the Albert Russel Erskine Bureau for Street Traffic Research has turned its attention to devising a new rule which will eliminate the evils of the present

speed limit regulations. Their proposed rule is in two parts. Part one prohibits driving "at a speed which is greater than is reasonable and proper" or which is greater than will permit the operator "to decrease speed or stop as may be necessary to avoid colliding with any person, vehicle or conveyance." Thus an operator is subject to conviction even though driving at a speed of only five or ten miles an hour if such speed was unreasonable under the conditions prevailing at the time or was such as to result in collision.

The second part of the rule is intended as a practical guide for the enforcement of the first part. It indicates speeds of 15 miles per hour near schools, 20 miles in business districts and other special locations, 25 miles in residence districts, and 45 miles in the open country. But these figures are not speed limits. An operator is not to be subject to conviction merely because he exceeded them. They are, however, to be used as a measure of the degree of any offense which may be called bad driving. An operator driving in excess of the indicated speeds who collides with another vehicle or who violates a rule of the road is subject to the heavy penalties of reckless driving.

It is the intention of the new rule to transfer the emphasis from speed alone to the manner of driving. Enforcement energies can now be concentrated on the really reckless driver, say the authors of the new rule, with the assurance that the punishment will fit the offense.

*

Amendment to
Complete City-
County Consolida-
tion in Philadelphia

As students of municipal government well know the attempted consolidation of the city and the county of Philadelphia in 1874 was not completely successful. Because of court decisions, the city and county units have not

remained merged to the degree anticipated by the sponsors of the consolidation act and in force for twenty years after the passage of the act. The county offices of importance are still elective and no centralization of executive authority has been secured. Uncertainty exists as to where the authority of the city officials ends and that of the county officials begins. There is also doubt as to the power of the legislature to correct conflicts of jurisdiction now existing. The present situation is far from satisfactory and conditions can only be rectified by a sweeping constitutional amendment.

At the request of a member of the state legislature, the Philadelphia Bureau of Municipal Research has prepared a constitutional amendment for introduction into the present session of the legislature. The objectives which the proposed amendment seeks to attain are expressed as follows in a recent bulletin of the Bureau:

(1) To provide an up-to-date governmental structure for county business in lieu of the present antiquated structure, and to leave a minimum of distinction between departments, officers, and employees performing county functions and those performing city functions. This is accomplished by making county as well as city functions the responsibility of a single municipal corporation, the city.

(2) To guarantee that the usual functions of the county officers now named in the constitution will be performed in Philadelphia, but to give the legislature complete freedom to arrange or to permit the city to arrange the machinery by which county functions will be performed by the city.

(3) To make possible by legislative enactment a reduction in the number of officials elected to perform county functions. Many avenues to effective administrative and financial control are now blocked by elective officers who should be appointive.

(4) To remove all constitutional restraints against delegation by the legislature to the city of power to fix the number and compensation of, and to regulate matters of personnel administration for, all officers and employees paid out of the city treasury.

(5) To wipe out what remains of the fee system.

(6) To enable the legislature to deal, in laws for cities or for counties, with Philadelphia's special and unique city-county situation without violating prohibitions against local and special legislation, at the same time not relaxing the prohibition further than is necessary to deal with the special situation. *

Elective Utility Commissions

In Pennsylvania Governor Pinchot is urging an elective public utility commission to be known as the Fair Rate Board, as a substitute for the present appointive public service commission. The argument for the change is well expressed by Morris L. Cooke in a recent communication published in the *Philadelphia Record*. There is, he believes, a decided tendency on the part of appointive public service commissioners to become more responsive to the demands of the companies than to considerations of public interest. The elective system has the notable advantage, he urges, of affording the commission an opportunity to get the public point of view and to explain and defend its policies before the people.

To many who still see in the public utility commission idea an opportunity for the development of quasi-legislative and quasi-judicial bodies of a high professional order, the suggestion of an elective system will come as a shock. In these days when government is interesting itself in so many fields once considered purely private enter-

prise, many have felt that success or failure depends in the last analysis upon securing political independence and high technical qualifications in administrative office. Such persons have believed that these qualities can only be secured by executive appointment for long terms. Such a view holds that democratic responsibility will avail nothing unless linked with high technical capacity; and if technical fitness is to be secured and cultivated a large degree of independence from politics must be guaranteed.

While possessing the utmost respect for the public spirit and expert capacity of Mr. Cooke and the others who are behind the Pennsylvania proposal, the present editor cannot but feel that it would be a retrograde movement. Granting that the public utility commissions have fallen far short of the attainable ideal of utility regulation, and conceding that they have been too willing to assume acquiescent judicial attitudes at times when they should have been prosecuting the public interest, we cannot see how Governor Pinchot's plan for elective commissions would improve the situation. Undoubtedly, many of our Pennsylvania friends consider our position highbrow and academic. They will reply that they are confronted by a practical situation; that the present commission is bound by a series of entangling alliances; that only an elective body can break those alliances; and that a new broom sweeps clean.

The proposal is, therefore, a form of ripper-legislation to be justified only under extraordinary conditions. Whether such conditions exist is surely a debatable question.

The Pennsylvania proposal might clean the Augean stables but we doubt its ability to keep them clean.

HEADLINES

After a two-year study, the county home rule committee of California has recommended to the legislature that power be centralized in a county chief executive and that legislative and administrative functions be separated. Three optional forms of charter are suggested.

* * *

A measure which would give Philadelphia the right to vote on the city manager plan with proportional representation has been introduced into the state legislature. Prospects for passage are reported bright.

* * *

The Pennsylvania legislature now has before it a bill making optional the city manager plan with proportional representation for second and third class cities, and another bill which would permit third class cities to adopt the manager plan without P. R.

* * *

Petitions are being circulated in Saranac Lake, New York, for the adoption of proportional representation. Before the plan could be used, the approval of the legislature and the village board of trustees would have to be obtained. P. R. advocates see the likelihood of a test case on the plan's constitutionality in the Empire State.

* * *

Even the tooting of auto horns must stop in Paris, France, between the hours of 10 P.M. and 6 A.M., according to a new anti-noise decree adopted by Prefect of Police Jean Chiappe and his traffic commission. Another excuse for Americans going to Paris—to get a good night's sleep!

* * *

An amendment to the Oregon constitution which would permit the consolidation of local governments within Multnomah County, which includes Portland, is being sponsored by the City Club of Portland.

* * *

Voters in mayor-council cities in New York State will be unable to force the drafting of a new charter by petition, if a bill which has just passed the senate becomes law. The measure would repeal the 1914 optional forms of government act. Another bill, providing an amendment to the home rule law, may solve the problem.

* * *

City manager charters for Waterbury and Stamford, Connecticut, together with alternative charters, are being presented to the Connecticut legislature this session.

* * *

Charters providing for the city manager plan for Huntington and Charleston, West Virginia, are scheduled for presentation to the West Virginia legislature.

Abolition of the office of secretary of state and the creation of an executive department containing six bureaus, with the governor at its head, is recommended by the Institute of Government Research in a report on a survey of the state government of North Carolina.

* * *

Home rule for West Virginia cities is one of the several constructive recommendations of the legislative commission which was appointed in 1929 to consider revision of the state constitution. Shortening of the state ballot is also suggested.

* * *

Utah cities, of all classes, will be able to adopt the manager plan under the terms of a bill scheduled for presentation to the state legislature at this session.

* * *

A city manager enabling act for second and third class cities is before the Washington state legislature. Other constructive measures propose permanent registration and creation of a commission to draft a new election code.

* * *

Seven hundred million dollars has been raised within the last three months by local governments for public construction, according to a report by the President's Emergency Committee for Employment.

* * *

Repeal of the Indiana primary law is advocated by Governor Harry G. Leslie of Indiana in his annual message to the legislature.

* * *

"Any candidate receiving a majority of all the votes cast in a primary should be declared elected, and if this does not happen, the two candidates receiving the largest number of votes irrespective of party, should be voted upon at the general election," Governor Philip F. LaFollette of Wisconsin, declared in his message to the legislature. Wisconsin has the open primary.

To offset the growing tendency to isolate the executive from the legislative branch, the Wisconsin governor also proposes legislation for the calling together of legislative committees when the legislature is not in session, and the appointment of an executive council of not more than twenty members, one-half to be members of the legislature and one-half responsible to the executive, all to serve without pay.

* * *

A cow and two calves are teaching Los Angeles school children that milk wasn't always in bottles. Following the discovery that 25 per cent of the children had never seen a cow and 50 per cent had never seen a calf, the board of education is sending a truck with the three animals to each public school in the city.

* * *

State regulation of public utilities in Iowa, one of the few states which does not exercise such control, is urged by Governor Dan W. Turner in his message to the legislature.

HOWARD P. JONES.

ARLINGTON COUNTY ADOPTS THE MANAGER PLAN

BY HUGH REID

Member Virginia House of Delegates

*Arlington County, Va., becomes the first county in the United States to
adopt the manager plan by popular vote. :: :: :: :: ::*

ARLINGTON COUNTY, VIRGINIA, is just across the Potomac River from Washington. Originally a part of historic Fairfax County, it was ceded to the United States as part of the District of Columbia when the national capital was established and became known as Alexandria County. In 1846 the former Virginia territory was retroceded to the Old Dominion, being known first as Alexandria County, and later as Arlington, deriving its name from the historic estate of Robert E. Lee which lies in the heart of the county.

Arlington County has something over 26,000 inhabitants. It is largely a county of homes although it has some business and industry. It contains no incorporated towns except a small part of Falls Church, a suburban town lying principally in Fairfax County. More than half its people have removed there since the outbreak of the World War. Ever since then a steady stream of new citizens has poured across the Potomac attracted by the open country on the southern bank and the natural beauty of the Virginia hills. The basic population, however, remains Virginian.

This influx of new population has brought with it people from every state in the Union, with their varying experiences in local government. The consequent admixture has produced an activity in politics and public affairs notable even in a state where

political campaigns are the favorite sport of the masses. Government employees, forbidden by civil service rules to take part in politics, find an outlet for their civic energy in citizens' associations for local improvements and public affairs. Residents of the county boast of a school system which has stood first in the state ratings for some years, in a model health and welfare unit, excellent fire and police protection, an up-to-date high pressure water system, the lowest illiteracy figures and the highest per capita wealth in the state.

BOARD OF SUPERVISORS A STORM CENTER

If we except the board of supervisors, the conduct of the major elective offices has, on the whole, been both efficient and popular. Their incumbents are regularly reelected. The board of supervisors, however, has always been a storm center. Under its absolute control and exclusive jurisdiction fall all matters in connection with roads, sidewalks, sewers, water, health, sanitation welfare, fire protection, zoning, planning—in fact, almost everything touching the daily life of the voter, except schools.

As early as 1922, demands arose for incorporation as a city but gradually receded. This agitation, while ill directed as to its ultimate remedy, served the useful purpose of educating many citizens to the advantages derived by cities from the city manager plan.

Thus, the success of the city manager plan in Virginia cities is largely responsible for the spread of the idea for the first time to a Virginia county.

In 1926 a general revision of the constitution was initiated through a commission. This revision included an amendment to the effect that the general assembly might by general law prescribe complete forms of government for counties different from those laid down by the constitution, subject, of course, to adoption by referendum. The revision was ratified by the people in June, 1928. Meanwhile a separate amendment had been adopted in November, 1927, giving the county the same powers of special assessment enjoyed by cities. Thus the general assembly was freed from all obstacles which prevented it from setting up a government for Arlington County practically identical with that of its cities but without loss of county identity or incurring the disabilities as to state aid peculiar to cities.

THE CAMPAIGN

The Enabling Act of 1930 was passed by the first general assembly to meet after the constitutional referendum. It provided for a choice of two forms of government, commission or county manager, and permitted a choice between election at large and election by districts. These were condensed into three questions on the ballot. A spirited campaign followed. The Civic Federation (composed of numerous citizens' associations), the Bar Association and the Chamber of Commerce, endorsed the managerial plan and the election of commissioners at large. Public meetings, radio addresses and a carefully prepared pamphlet entitled "Better Government" were the effective means of propaganda.

The most serious opposition arose from the local press and from the

existing office holders who felt the new system was aimed at them (as indeed it was, but not in a personal sense). The principal attack was directed at the system of election at large, arguing to the residents of the more sparsely settled areas that the thickly populated sections would dominate the board. The alleged costliness of the plan was also urged, and the abolition of numerous elective offices was branded as undemocratic. The result of the election was surprising to the most optimistic friends of the change, but is to be largely explained by a persistent debate over a period of years as to the proper type of government. During that time, a strong sentiment for managerial government had grown up.

The form of the ballot was as follows:

Question 1. Shall the county change its present form of government?

For Against

Question 2. In the event of such change, which form of government shall be adopted?

Modified Commission Plan

County Manager Plan

Question 3. In the event of such change, shall the governing board be elected at large or by districts?

At Large

By Districts

THE RESULT OF THE VOTE

The varying vote on these several questions showed that the people had decided views and a capacity for discrimination. On question 1, for instance, the advocates of the new form were victorious by two to one. The county manager plan won over the modified commission plan by more than four to one. But on question 3 there was sharper division, and the advocates of election at large won by only three to two. The change was approved in nine out of eleven voting districts and defeated in the other two by very narrow margins.

Under the proposed change (effective January 1, 1932) the magisterial districts for the election of supervisors and certain minor officials are abolished and all levies and expenditures are on a county unit basis. All pre-existing district bond issues are to be county obligations. This consolidates over \$2,000,000 of debt for which the districts were primarily liable, but which now becomes the obligation of the entire county.

The county board of five members are to be the only elective officers of the county, with the exception of the elective officers required by the constitution (treasurer, sheriff, commonwealth attorney, etc.) and the county judge. They will have power to abolish any other board, office or commission now existing and delegate and distribute the duties so changed or abolished as they think proper. (This does not include the school board.)

A TRUE MANAGER PLAN

The county board, however, is to have legislative powers only. All the administrative and executive powers of the county are to be vested in the manager. His powers include the appointment of all officers and employees whose appointment or election is not otherwise provided by law, and the purchase of all supplies and equipment. He holds office for one year but must be notified sixty days prior to the expiration of any year if his services are no longer desired. He may be removed for misfeasance, malfeasance, incompetency or neglect of duty. He need not be a resident of either state or county. The tentative budget must be prepared by him and submitted in detail as to items. After its submission in February, the board may alter or amend it prior to April 1. Failing to adopt the tentative budget prior to that date, it becomes effective auto-

matically. After April 1, no change can be made except upon the recommendation of the manager and approval of the board. In no event can a change of more than ten per cent be made in any allocation. An itemized account of all expenditures is required to be made at each regular meeting of the board and an annual itemized statement must be filed with the clerk of the board.

The county manager thus becomes a general manager of the public business in his own right. During the past two years an approach was made to the manager plan by placing a directing engineer in charge of all county departments. He acts, however, as the agent of the board and under their direction. In practice the supervisors are still kings within their districts and the directing engineer is without any authority in his own right. The new law expressly separates the duties of the board and manager. The latter will have full power to "hire and fire" and the powers delegated to him are expressly denied to the board.

ORDER IN COUNTY FINANCES

The chief merit of the new system is the introduction of order in the county finances. Under the present method, the board of supervisors meets annually and lays certain levies, some of which are county wide and others applicable to districts only. There are two such county-wide levies and in some instances four and in others, five district levies. In theory, the county treasurer who collects any particular tax bill, places it in six or seven different pockets depending upon the district and holds the various sums subject to the warrant of the board of supervisors. The latter casually expends the various funds. Since there is no planning in advance, expenditure frequently outruns cash on hand and the

usual method of meeting this situation is to make a loan to the insolvent fund from some solvent pocket, to be repaid when further tax collections replenish the borrower's account. Periodically, of course, the situation is reached when funds are low in all accounts, whereupon a frenzied era of retrenchment sets in or else recourse is had to outside borrowings. In order to prevent the latter, it has been necessary for the state legislature to limit sharply the authority of boards to make external loans.

This situation is cured by two methods under the new government: first, by the abolition of the district with its complicated levies and the consolidation of all the multiple tax items in a single levy, county-wide irrespective of districts; and second, the substitution of orderly planning for haphazard expenditure. The latter is achieved by adoption of the executive budget requiring the items to be specified in advance, the budget to be prepared by the county manager. The law requires the amount to be expended for each road, bridge or other purpose to be specifically set forth and that after the adoption of the budget, no allocation can be changed unless upon the recommendation of the manager with the approval of the board, and then, not to the extent of more than ten per cent on any one item.

MINOR COURTS SIMPLIFIED

An important part of the reorganization of the Arlington County government is the simplification of its minor courts. These consist of nine justices of the peace—all elective—a juvenile judge, a domestic relations judge and a trial justice. The three last named offices are appointive by the circuit court and have in practice been filled by one person.

The office of trial justice was created some years ago to make more uniform

the trial of misdemeanors. He is in effect a police justice and tries all minor criminal cases, although the justices of the peace still issue criminal warrants and try civil cases. This makes twelve minor judicial offices, a very modest showing indeed in a state where one county has close to thirty, but sufficient to keep a steady stream of appeal cases flowing to the circuit court.

To end this situation, an act was passed at the 1930 session of the legislature abolishing all the dozen justices and substituting one full-time county judge with somewhat increased powers and enlarged jurisdiction. The new judge must be a lawyer, but cannot during the term of his office engage in private practice. The first incumbent will be elected in November, 1931, and the new court will assume its duties simultaneously with the new county board.

SIMILAR ACTION BY OTHER COUNTIES FORECAST

The adoption of the manager plan by Arlington County undoubtedly forecasts similar action by other counties. The counties of Augusta, Fairfax and Albemarle have attempted under the form of the present laws to set up modes of administration approaching the county manager plan. However, no legislative authority exists for the adoption of the Arlington plan as the Enabling Act under which the latter county acted is, although general in form, restricted to counties having a density of population of five hundred inhabitants per square mile. This classification which actually confines the act to a single county has been held to be proper and reasonable by the State Supreme Court of Appeals.

Nevertheless, the government of other counties will undoubtedly be the subject matter of further legislation when the general assembly meets in

1932. At that time, a state commission appointed for the purpose of recommending alternative forms of government for counties will present its report. Simplification is the order of the day and Arlington County's experience with its new system will undoubtedly influence opinion elsewhere. Arlington County's various

changes in local administration have been promptly copied by other counties in the past and her latest experiment will attract attention. In the meantime, the display value of an experiment of this kind within four miles of the White House will not be overlooked by those who seek advertisement for a major reform in county government.

ADMINISTRATIVE REORGANIZATION IN MAINE

BY ORREN C. HORMELL

Bowdoin College

Maine promises to be the next addition to the honor roll of states which have simplified and modernized their administrative structure. :: ::

THE movement for reorganization along modern efficient lines of the administrative departments of the government of the state of Maine reached a definite and tangible form on January 21 when an act embodying an administrative code was introduced in the Maine senate.

The act was introduced following a message by Governor William Tudor Gardiner, which message undoubtedly will be recognized as one of the clearest and most thorough expositions on the principles involved in state administrative reorganization presented to date by an American state executive.

The proposed code is based mainly upon the recommendations made in the survey prepared by the National Institute of Public Administration, of which Dr. Luther Gulick is director. Last year Governor Gardiner took advantage of the offer of the Spelman Foundation to finance a survey of the state government of Maine. During the summer of 1930 various members of

the National Institute of Public Administration spent four months in Maine conducting the investigation. The report of the survey, containing 214 pages, was submitted on October 21, 1930. Immediately an extensive educational campaign was conducted under the general direction of the governor. The newspapers throughout the state printed extensive excerpts from the report, copies were widely distributed, and a very large committee was appointed by the governor to make a detailed study of the report, after which all interested citizens were invited to attend public hearings. Such hearings were held in five of the more important centers throughout the state. These were attended by an unexpectedly large number of persons.

The final public meeting was held at Augusta on December 4, at which were gathered representatives from all parts of the state. At this meeting the governor appointed a small, so-called "executive committee" of 17 to make

a more thorough study of the survey and assist in the preparation of an administrative code to be submitted to the legislature.

On this executive committee were representatives from every section of the state, from all of the major interests, and from both political parties. The purpose of the committee was to translate the general principles recommended in the survey into practical legislation especially applicable to the situation in Maine. The recommendations of the governor and committee were presented to A. E. Buck, of the staff of the Institute, to whom was entrusted the task of drafting the code along the lines agreed upon. The committee met with Mr. Buck and discussed the proposed code, item by item. The act as introduced embodies all of the suggestions of the committee.

WHAT THE CODE DOES

The outstanding features of the code are:

First—The abolition of some 38 boards, commissions and offices, and the consolidation of the administrative agencies into thirteen administrative departments. Each is headed by a single executive with the exception of the department of public utilities and the department of highways, which are to be continued under commissions as at present.

Second—The introduction for the first time in the administration of the state of Maine of a personnel officer, who is attached to the executive department. This will lift the appointment, promotion and retirement of subordinate administrative officers and employees from the spoils system. Provision is made for efficiency records, service ratings, standardization of salaries, and transfer of employees from one department to another.

Third—The thorough revision and

consolidation of the financial agencies of the state is provided for. The department of finance is to be organized into three bureaus, viz., the bureau of accounts and control, the bureau of purchase, and the bureau of taxation. A modern budget system is set up, with the understanding, however, that the budget provisions shall be later incorporated into a constitutional amendment.

The code also provides for a department of audit, which provision recognizes the clear distinction between the function of an auditor and that of accountants. The work of the accountants is to be carried on in the department of finance, while the work of the auditor is to be limited solely to the functions of auditing. It is the function of the auditor to perform a post-audit of all the accounts and financial records of the state government, to install accounting systems and perform audits for cities, towns and villages, and to serve as a staff agency to the legislature in making investigations of any phases of the state's finances. In order that the auditor shall be an effective check upon the administrative departments it is provided in the code that he shall be elected by the legislature.

Fourth—Probably the most important reform is found in the reorganization of the health and welfare agencies. The eighteen different agencies now spending some 27 per cent of the legislative appropriations are brought together in one department designated as the department of health and welfare. Under the commissioner of health and welfare there is to be organized three bureaus:

- (a) The bureau of health
- (b) The bureau of social welfare
- (c) The bureau of institutional service

Each of these bureaus is to be under the

direction of an expert, experienced and trained in his special field.

PUBLIC SENTIMENT AGAINST
FOUR-YEAR TERM

It is interesting to note that the public sentiment in the state was predominantly in favor of limiting the term of the governor to two years, rather than the four-year term recommended in the survey, and also in favor of the retention of the governor's council, with its present powers of advice and confirmation. At the same time, however, a provision is made for a cabinet consisting of the heads of the administrative departments, who are to act as an advisory staff to the governor. The

cabinet is to meet quarterly, or oftener at the option of the governor, mainly for the purpose of furthering coöperation among, and coördination of, the several departments, and for the quarterly allotment of the budgetary appropriations of each department.

The code is now in the hands of a special joint committee of the two houses of the legislature. There seems to be general agreement throughout the state with Governor Gardiner's statement that "if the essential features of this code are adopted the governor can justly be held responsible for his administration. He can be rightly blamed for extravagances, and praised for economies."

THE CITY MANAGER IN KENTUCKY

BY ROY H. OWSLEY

University of Kentucky

After three years' effort to secure legal power to adopt the city manager plan, the voters of Lexington, Covington and Newport, Kentucky, have ordered its introduction in their cities. :: :: :: :: ::

THE movement for city manager government in Kentucky may be said to have definitely begun about three years ago, when the chambers of commerce in the second and third class cities of the state, led by the Lexington Board of Commerce, entered into a concerted movement for adoption of the newer form of city government. Their initial efforts were crystallized in two bills, providing for optional adoption of council-manager government by second and third class cities, respectively, which were introduced in the general assembly of 1928.

Chapter 84, Acts of 1928, provided that any city of the third class might submit to its voters the question

whether they wish to be governed under the council-manager form of city government, and that if the choice of the voters favored the manager form, the commissioners and the mayor would then select a city manager who was to hold his position at the will of the board.¹

The act made possible a true city manager government by specifically designating the city manager the administrative head of the city, his judg-

¹ Chapter 79, Acts of 1928, was a similar law providing for city manager government in the second class cities of the state, but it is necessary to take only incidental notice of this second law, the subsequent court decision dealing only with Chapter 84, Acts of 1928.

ment being unfettered, by making his executive and administrative qualifications the sole basis for his selection, and by stating that the "office shall not be limited to inhabitants of the city or state."

THE FIRST CITY MANAGER CAMPAIGN

Under the Kentucky constitution the legislation became legally effective in the early summer of 1928, but advocates of the plan in three cities of the state already had begun preparing to submit the question to the voters in the regular fall election of that year. These cities were Covington, Lexington and Owensboro.

The most systematic campaign was the one in Lexington, but on November 6, 1928, the manager plan was adopted in all three cities. In Lexington, the effects of the carefully waged campaign became apparent when the final count showed the result of 10,500 votes in favor of the plan and 4,241 against it. In Covington, which is located just across the Ohio River from Cincinnati, the successful experience of the latter city evidently had considerable influence, for the plan was voted in by more than 3 to 1. In Owensboro the plan won by a slender majority. In this city there had been a minimum of campaigning for the plan, and the result seems to have been a surprise to the proponents, as well as to the general public.

CONSTITUTIONALITY OF THE LAW

But opposition to the city manager plan was not to be allayed so easily. Soon after the law was passed, a movement was organized to have the statute declared unconstitutional, and the result of the referendum on the plan in the November election of 1928 brought the matter to a head. Late in 1928, suit was filed in the Daviess circuit court, contending that the city

manager law violated four different sections of the state constitution.

On May 31, 1929, the Kentucky Court of Appeals handed down a decision¹ upholding the opinion of the Daviess circuit court holding the act unconstitutional.

The contentions as to the unconstitutionality of the statute may be generally divided into two categories, the first based upon sections 23, 107, and 160 of the Kentucky constitution, and the second finding its origin in section 51.²

Obviously, the contentions of the first group more vitally affected the future of the city manager in Kentucky, since they centered upon the council-manager plan of government itself, while the second main contention was of secondary importance in that, if it should be affirmed by the court, it would serve only temporarily to prevent adoption of council-manager government by Kentucky cities of the third class.

THE DECISION ITSELF

After nullifying all contentions of the first category, that is to say, after construing liberally all points relative to the council-manager plan of government, the court voided the statute in

¹ *City of Owensboro v. Hazel*, 229 Ky. 752, 17 S. W. 2nd 1031.

² Briefly stated, the contents of each of these sections are as follows:

Section 23—provides that no office shall be created to which a person can be appointed for other than a definite term.

Section 107—provides that terms of elected or appointed ministerial or executive offices shall not exceed four years.

Section 160—states that the executive must be elected and that "no mayor or chief executive or fiscal officer of any city of the first or second class" shall succeed himself in office.

Section 51—provides that any law enacted by the general assembly should cover only one subject which must be expressed in its title.

question upon the technicality that it violated the constitutional provision that no law shall contain more than one subject which shall be expressed in the title, for, as Judge Dietzman stated, the reading of the title plainly indicated that the act dealt with both the city manager and commission forms of government.

While the decision in *City of Owensboro v. Hazel* affected only cities of the third class, it was generally understood that since this was practically identical with the companion act affecting cities of the second class, the latter was likewise unconstitutional. Thus, the cities directly affected by the decision were Owensboro, of the third class, and Covington and Lexington, of the second class, which cities had voted for adoption of the council-manager form of government in the fall election of 1928.

THE SECOND CITY MANAGER LAW

There is little doubt that the decision of the Kentucky Court of Appeals of May 31, 1929, retarded council-manager government in Kentucky for a period of at least two years, but, if the truth were known, the result probably has proved beneficial to the cause of the city manager.¹ Advocates of the plan, particularly in Lexington, acting under the liberal construction of the court and realizing that city manager government in Kentucky depended only upon getting a bill through the legislature which would be free of the defects of the 1928 legislation, began immediately to formulate plans for the next session of the general assembly, which was scheduled to convene early in 1930. Their goal was reached when the 1930 legislature passed by a goodly majority Senate Bill No. 12, introduced by Senator J. J. McBrayer

of Lexington as a substitute for a similar bill earlier introduced in the House of Representatives by John Y. Brown, also of Lexington. Having been approved by the governor on February 12, the act became law in regular fashion on June 18, 1930, ninety days after the legislature had adjourned.

With the exception of section 34, which provides the machinery for abandonment of the plan, and various other sections which are not concerned directly with city manager government, the substance of the 1930 act is almost entirely identical with the bill passed by the 1928 legislature, but the more recent legislation is apparently free from some of the technical weakness of the earlier law.

ELECTION OF 1930

The climax to the three-year campaign was furnished on Tuesday, November 4, 1930, when the three Kentucky cities of Covington, Lexington and Newport voted to adopt the city manager form of government, the referendum being conducted under authority of the 1930 enabling act.

In Covington the vote was 9,192 in favor of the plan, with 5,951 opposed. It is significant that the problem in this city was really that of legalizing the now existing city manager form which went into operation on January 1, 1930, after the city commissioners had agreed to "pool" their salaries in order to provide for a city manager. Lexington adopted the plan in this second campaign by a vote of 5,184 to 2,496. In Newport, however, the final count resulted in the slight margin of two votes favoring the plan, the total vote being 4,095 for the city manager, with 4,093 opposed.

LOOKING AHEAD

City manager government for the second class cities of Kentucky is now

¹ See the writer's remarks in November 1930 issue of NATIONAL MUNICIPAL REVIEW, page 793.

assured. Opponents of the plan seem to have accepted the opinion in *City of Owensboro v. Hazel* as conclusive evidence of the fact that city manager government is not repugnant to the Kentucky constitution. There has been no indication of any intention to test the constitutionality of the present city manager law. The city manager now has a clear title in the laws of

Kentucky. The plan has been adopted by popular referendum in the cities of Covington, Lexington and Newport. The only problem remaining is for the friends of city manager government to exercise good judgment in the selection of managers for these cities, so that the advantages of the plan may be illustrated to the other cities of the state.

TAX REFORM IN TENNESSEE

BY FRANK W. PRESCOTT

University of Chattanooga; Executive Secretary, State Tax Committee

The new tax system proposed by Tennessee Tax Committee includes personal and corporation income taxes and abolition of vexatious license taxes. Changes in county government are recommended.

THE débacle in several of Tennessee's largest banking institutions involving millions in public funds, the repercussions of a bitter gubernatorial campaign still lingering in the public mind, coupled with desperate attempts of factional leaders to organize the legislature which convened in January, have aroused popular interest in public finance to a higher degree perhaps than at any time in the last quarter century.

Under such conditions, the exhaustive report of the State Tax Committee, attracted state-wide attention. The report was made public by George Fort Milton, president and editor of the *Chattanooga News*, and chairman of the committee. The committee's technical staff was recruited from the Universities of Tennessee and Chattanooga, and the state tax commission of Wisconsin.

TAXES INCREASING FASTER THAN INCOME

The report embodies factual studies in costs of state and local government,

and the tax incidence in Tennessee, together with twenty-five specific recommendations looking toward a thoroughgoing reorganization of the present tax structure, the reform of local government, and various means for safeguarding against excessive local spending. The statistical background thus assembled is the first complete collection of fiscal data ever compiled in this state.

The incidence studies revealed: (1) That Tennessee has made marked industrial progress during the past decade. (2) That while state income has increased only 12.2 per cent since 1924, as compared with 28.7 per cent for the whole United States, Tennessee's rate of increase was exceeded by only three southern neighbors,¹ Mississippi, Virginia, and Florida. Yet the people have contributed a greater portion of income for taxes since 1926, than before that date. (3) That Tennessee's ratio of taxes to income was

¹ Brookmire Service, *Sales and Credit Data Sheet*, Vol. 19, G. I.

7.6 per cent in 1927. It was prophesied that the rate would reach 8.5 per cent in 1930, which is not radically out of line with nearby states. (4) That the ratios of state and local taxes to net income of all corporations,¹ averaged for 1922-1927, was 21.32 per cent, which gave Tennessee third place in seven southern commonwealths. Corporations engaged in finance, trade, and public service apparently have been more lightly taxed here than in some other states. For the manufacturing group in Tennessee the ratio was 11.65 per cent taxes to income as compared with an average of 14.83 per cent for seven southern states. If the present study may be accepted as proof, manufacturing industries are not being prevented from entering, or being forced to withdraw because of the tax burdens. (5) That the repeal of the state ad valorem tax on realty, to take effect in 1932, ostensibly intends to relieve the farmers, actually stands to relieve urban property, and especially public service corporations, of two-thirds of the total of \$3,500,000 in state taxes received from this source.

The rising tide of governmental costs in Tennessee, while not unique, was stressed in the report. It was shown that expenditures for state government did not assume very large proportions until about 1925, when the total reached \$22,000,000. Since then, owing to an overstimulated highway program with expanded educational and institutional budgets, disbursements have increased with lightning-like rapidity. The total in 1930 for state purposes was \$63,979,000 (\$24.89 per capita), an increase of 51 per cent over 1925. Local units have paralleled the state, their costs rising from \$8.97 per capita in 1913 to \$29.33 in 1929. Combined state and local costs in Tennessee in 1929 were \$122,-

482, 835, or \$46.93 for every inhabitant. Public indebtedness has outstripped the growth in taxation in the decade ended in 1930. In 1922 combined state and local net debts were \$133,337,000 or \$56.27 per capita; in 1930 the total was \$282,679,000 or \$108.22 per head.

NEW TAX SOURCES

In the probe for more state revenues, and in exploring methods of equalizing the tax burden, studies were made of franchise taxes of railroads and other utilities, of a possible shift in the base of some state taxes from property to income, severance imposts, and greater exploitation of such portions of the existing system that seemed to be worth salvaging. The survey further showed the usual faults in general property taxation, the gross under-assessment of personalty, now partially offset by recent enactment of taxes on income from securities; the vast array of privilege and license imposts, state and local, which are especially burdensome upon mercantile groups, because of their haphazard design, their inefficient and inequitable administration; and the archaic and unwieldy administrative procedures in the collection, custody, and disbursement of public funds.

NEW LEGISLATION PROPOSED

Specific recommendations for changes in the state and local fiscal systems, now embodied in bills introduced in the legislature are as follows:

The most significant changes in taxation are the proposals for a state income tax on persons and corporations, and a franchise tax on the gross operating revenues of steam railroads and other utilities. In the latter case, the yield should be at least equal to the amounts heretofore paid in property taxes to the state but repealed by re-

¹ Data from U. S. Bureau of Internal Revenue.

cent enactment. Abolition of the vexatious state privilege and license taxes upon merchants is projected, except that license taxes may be retained for local regulatory purposes under the police power.

From the viewpoint of administration, the establishment of a real state tax commission, with the usual administrative and quasi-judicial functions, is an important recommendation. The measure vests in the commission authority to enforce present statutes concerning annual audits of state and county offices; and to pass judgment upon local tax rates appealed by taxpayers for review, and to approve or to reduce such tax rates, and to modify budgets.

In view of endemic embezzlements in county revenue offices in this state, illegal deposits of public money and other irregularities in fiscal administration, the committee urges enactment of statutes changing the system of public deposits to prevent illicit manipulations of public funds by officials or banking agents. Provision is to be made for repeal of present statutes which allow restitution of embezzled moneys by public officers to bar prosecution for the offense, and the substitution of a law providing that withdrawal of money from public treasuries for personal use will be *prima facie* evidence of guilt of embezzlement.

COUNTY GOVERNMENT

While some of the out-worn provisions of the state constitution stand squarely in the path of thorough renovation of our system of county government, the proposals now urged comprise a number of approved practices. Briefly, these are: Uniformity in state and local fiscal calendars; the concentration of collecting and dis-

bursement agencies of counties in the office of the trustee (treasurer); establishment of county budget commissions, which would be held responsible for budget-making and recommending tax rates, with the stipulation that county courts (*i.e.* boards) cannot increase budget recommendations; publicity thirty days in advance for contemplated increases in taxes by any local government; reasonable uniformity of accounting practices in counties, as prescribed by the state; centralized purchasing agencies for counties; general legislation looking toward voluntary county consolidations, with the ultimate hope of reducing the present ninety-five counties to not more than sixty; mandatory referenda for all local bond issues, with stated percentages of requisite number of votes, to prevent voting of such issues by minorities; requirement of serial bonds for all future local funded debts, and actuarial inquiries into existing sinking funds to determine their sufficiency; and finally, the establishment, as an adjunct to the proposed state tax commission, of an advisory commission on county governments to act as "guide, philosopher, and friend" to the frequently puzzled local officials.

The strategy of tax reform as outlined in a recent issue of this REVIEW,¹ finds a counterpart here in the organization of a State Taxpayers' Association in December, 1930. This new group comprises a number of men who have been on the firing line of tax reform in Tennessee for more than a decade. Despite the present lamentable political muddle, signs are not wanting that the labors of the State Tax Committee for a modern system of taxation will not have proved in vain.

¹ Vol. XIX (1930), pp. 766-770.

THE MUNICIPAL SCIENCE INSTITUTE OF THE UNIVERSITY OF BERLIN

BY PROFESSOR DR. WALTER NORDEN

Director of the Institute

Translated by Roger H. Wells, Bryn Mawr College

The Municipal Science Institute is a training, research and consulting agency, supported, for the most part, by the state. :: :: ::

THE advancement of science in Germany is predominantly a function of the state. Hence almost all scientific agencies have been founded and are supported by the state, and there are relatively few private research organizations. In the main, private enterprise is limited to subsidizing public agencies or to providing them with office facilities.

During the post-war period, the state, owing to its unfavorable financial situation, was often no longer in a position to supply the means for the maintenance or extension of the existing institutes. The need of creating new institutes involved real pecuniary difficulties. At this point, fortunately, various organizations interested in scientific investigations decided to grant subventions to the state agencies, thus making it possible for numerous institutes to be founded which the state alone would not have been able to establish.

Among these is the Municipal Science Institute of the University of Berlin (*Kommunalwissenschaftliches Institut an der Universität Berlin*) which is the first and the only one of its kind in Germany. The Institute was launched by the state in 1928 after a successful effort had been made to secure financial aid from the various unions of local government authorities representing the Prussian provinces and counties, and the German cities and towns.

The city of Berlin has at all times especially concerned itself with the fostering of science and, in the beginning, it contributed the major part of the support for the Institute.

Although it has become customary in the post-war period for scientific agencies to receive financial aid from interested private organizations, nevertheless it is desirable that the entire cost of these institutes should again be gradually taken over by the state. Otherwise, financial dependence upon private resources may give rise to charges of partiality and bias. But if the Institute is to fulfill its purpose, it must be in a position to take a strictly scientific attitude on questions of municipal politics. I have therefore successfully endeavored to have the subsidies from the unions of local government authorities supplemented by a larger grant from the state.

THE INSTITUTE'S OBJECTIVE

The most important function of the Municipal Science Institute is to carry on objective training and research work and thereby to serve equally the state, the local authorities, and private industry. This objective has been recognized on all sides in a gratifying manner so that the Institute has the friendly coöperation of the federal and state officials, the unions of local authorities, the municipalities themselves, and the great economic associations.

To understand the work of the Institute, reference must be made to the associations of German local government authorities which were formed before the World War in order to protect local interests against the state and against each other. The large and medium cities are united in the *Deutscher Städtetag* (German Union of Cities) while the smaller cities are banded together in the *Reichsstädtebund* (Federal League of Cities). The other local authorities are represented by such associations as the *Verband der preussischen Landgemeinden* (Union of Prussian Towns), the *Preussischer Landgemeindetag West* (Association of the Towns of West Prussia), the *Deutscher Landkreistag* (German Union of Counties), and the *Verband der preussischen Provinzen* (Union of Prussian Provinces). The local authorities in the other German states (*e.g.*, Bavaria, Saxony, Württemberg, Baden, etc.) are likewise organized in state associations which in turn are connected with the national associations such as the *Deutscher Städtetag*. These unions each maintain an extensive central office and staff, and publish their own journals. They are financed by yearly contributions from the counties, cities, or towns which are members of the union.

MUNICIPAL ASSOCIATIONS EXERCISE BROAD INFLUENCE

The associations of local authorities possess an economic, social, and political influence that is not to be undervalued; they are consulted and give advice on proposed state and federal legislation relating to local affairs. They are represented through specified representatives in the governing organs of the *Reich* and state, such as the *Reichstag*, *Reichswirtschaftsrat* (National Economic Council), Prussian *Landtag*, and Prussian *Staatsrat* (Coun-

cil of State). The unions have performed services for their members which in other countries are undertaken by scientific institutes. This explains the fact that there was no Municipal Science Institute until recently; it also explains why, in comparison with American conditions, the Institute doubtless occupies a peculiar position.

The Institute grew out of a private library which I made available and which contained scientific works and practical materials on administration. After the Institute was taken over by the state, spacious quarters were provided for it in a private building rented by the university in the center of Berlin. I was appointed director and retained as my assistant, Dr. Kurt Jeserich, B.Econ. Dr. Jeserich had formerly assisted me and now became chief of one of the divisions of the Institute. The Institute was also provided with the necessary technical and office personnel.

THE LIBRARY

Special emphasis is laid upon the building up of the Institute's municipal library which in its organization and contents is unique in Germany. The library consists of a collection of the most important scientific literature on all branches of municipal and administrative science, together with official documents and publications of numerous local authorities. The Institute regularly receives all the technical journals (about two hundred), technical newspapers, and also political newspapers which are systematically catalogued according to the various branches of municipal government and administration.

The catalogue is an important instrument for the municipal researcher, enabling him, within a very short time, to become informed concerning the

entire body of scientific literature and practical materials existing in Germany.

The procuring of foreign literature is also important. For several years, I have personally maintained close connections with the United States and have been able, through exchange, to secure important scientific works and official documents. The Institute has the principal American city charters; detailed material on municipally-owned and operated enterprises; official reports and publications of particular cities; and the leading American periodicals and newspapers, above all, the NATIONAL MUNICIPAL REVIEW which is regularly read with interest by the students and others who work in the Institute.

Furthermore, the Institute is in possession of literature from the following countries: England, France, Italy, Holland, Switzerland, Denmark, Sweden, Norway, Russia, Poland, Hungary, and Austria. It has a direct exchange of information and literature with foreign state officials and unions of local authorities.

TRAINING OFFICIALS

The activities of the Institute may be grouped under three heads—training, research, and the advancement of the ideal of self-government.

(a) It is the purpose of the Institute to provide the future municipal officials with appropriate technical training. This is only for the so-called "higher" officials, *i.e.*, those with university training; it is not for the "middle" officials. In Germany, the training of officials of the middle ranks is through special courses (*Beamtenschulen*) which the individual municipalities provide and which candidates for office are required to attend. Since the World War, academies of administration have also been created as continuation

schools for the middle officials. In these academies, officials of the middle ranks may prepare for a further technical examination which gives them the possibility in exceptional cases of being promoted to the higher administrative service.

The customary training of the higher administrative officials, who in the majority of cases have studied law, belongs to the university. Recently an increasing number of persons trained in economics have been employed in the leading positions of municipal administration. Students often enter the Municipal Science Institute at the beginning of their university course of study. In the Institute, they are made familiar with the most important legislation, sphere of activities, public enterprises, and finances of municipalities. The training is carried on through a cycle of lectures and exercises and is supplemented by numerous field trips by which the students are brought into contact with actual municipal problems. The general university training together with this technical preparation leads in most instances to the degree of J.D., or Dr. *rerum politicarum* with a municipal science subject for the dissertation.

After the final examination, the graduates of the Municipal Science Institute are next employed as probationers (*Informatriker*) in municipal administration and, according to their service and ability, they are able to advance to the leading positions. The local authorities support this technical training above described because they naturally have an interest in securing recruits who are as well prepared as possible.

RESEARCH

(b) Along with the training work, the main emphasis of the Institute is laid upon research. Here there is very

close coöperation with the federal and state officials, the local authorities, the unions of local authorities, and the associations of economic organizations. The Institute may be called upon for advice; it conducts investigations which require special study and which, because of the lack of time or material, cannot be undertaken with sufficient thoroughness by those actually engaged in municipal administration. The Institute supplies materials for the drafting of bills or attempts to secure the necessary domestic and foreign literature. In particular cases involving practical problems, the Institute is directly called upon, so far as the solution of these problems is not undertaken by the unions of local authorities themselves. The larger research projects of the Institute are published in the Municipal Science Series (*Kommunalwissenschaftliche Schriftenreihe*), of which I am editor.

Special attention is given to foreign municipal conditions. As opportunity affords in a semester, a few students are sent abroad to carry on their studies. Up to now, England has been the chief place of interest for such students. The United States, which offers so many suggestions to us Germans who are interested in municipal government, is also a subject of study, but this study is entirely based upon the materials available in the Institute. It is worth considering if an exchange of the older students between the United States and Germany cannot be arranged and carried on by the municipal science institutes of the two countries. Great advantages for municipal research in both nations would thereby surely accrue.

THE SELF-GOVERNMENT IDEAL

(c) Finally, the Municipal Science Institute endeavors to serve the ideal of self-government. This ideal in-

volves the right of local authorities to carry on their own functions independently. In the changed political circumstances and under the pressure of financial necessity, the post-war period in Germany has brought a strong centralization of administration, *i.e.*, a transfer of the functions of local authorities to the state. To the friends of self-government, this development seems hazardous, the more so since the self-government principle has heretofore proved the best, and since it is responsible for the remarkable development of German cities and German economic life.

Self-government is on the defensive against the measures of the state which have been so clearly reflected in the legislation of the past decade. By means of general lectures to which all who are interested in public affairs are invited, the Institute endeavors to maintain and deepen the ideal of municipal self-government. The speakers in this lecture series are outstanding municipal leaders of Germany and of other countries. In the present semester, it is intended to have a distinguished representative from the United States speak so that the close connection between German municipal conditions and American problems may be recognized.

It is hoped that this short summary has shown the significance of the work of the Municipal Science Institute of the University of Berlin for the state, for private industry, and, above all, for the local authorities. The Institute, which has existed only a short while, will make use of the experiences which similar institutes abroad and particularly in America have acquired. It would be a source of gratification to me if these lines should serve further to advance and strengthen scientific co-operation between the United States and Germany.

SUBSTITUTING PRECISION FOR GUESSWORK IN PERSONNEL EFFICIENCY RECORDS

THE PROBST RATING SYSTEM

BY J. B. PROBST

Chief Examiner, St. Paul Civil Service Bureau

" . . . To see oursel's as ithers see us."

SOME forty odd years ago in a city of the Middle West several boys, during the summer vacation, found employment in a pretzel bakery, housed in the rear part of a dwelling. Our duties consisted of transforming dull, prosaic lumps of dough into tempting, shapely pretzels (and they were good pretzels, too!). On Saturday evening each boy, upon signal, would trudge anxiously up the stairs to the master's living room directly over the bakery. There upon a grimy desk would lie several little piles of silver, each pile representing the week's stipend for one of us. How well I remember the sentence that awaited me one Saturday evening as I entered: "Johnny, you didn't work so good this week, so I give you only \$1.15. Next week, if you work better, you can have your \$1.25." It took us some time to discover that our master's "service rating" was based on personal observation made through a knot-hole in the wooden ceiling of the bakery—and all that summer our meager wages fluctuated relentlessly with the changing influence of that bird's-eye view.

It is a far cry from the knot-hole method of appraisal in that little bakery to the service rating systems of today; still, I often wonder whether our rating systems of the past fifteen or twenty years are very much better than the out-and-out judgment rating of that plain, simple master of the

bakery. Our schemes are of necessity more elaborate because our business organizations are tremendously more complex, but the results are not vastly different. We have higher sounding names for the things we do today—we have production records, "graphic" scales, measure of output, motion studies, and so forth. But when stripped of their verbiage, there remains something strangely familiar. Was not our old "piece work" system about the same as our present-day "measure of output"? Isn't "measure of output" merely the old "piece work" system with a university education?

NOT "TO RATE OR NOT TO RATE" BUT
"HOW TO RATE?"

But so long as there are employers and employees there will be a constant urge to appraise the employee's service value. This urge will not down; it cannot be brushed aside. To rate or not to rate is no longer the question. The vital thing is *how to rate*—how to rate accurately, easily, without prejudice, and without arousing antagonism. The present-day employee seems to know instinctively whether our plan for measuring him is a fair one.

It is a matter of common knowledge that practically all our plans of service rating have failed in actual practice. Starting from scratch about five years ago, with the germ of a new idea, a type

of rating system has been constructed which not only measures accurately the relative value of a group of employees, but which, above all, emphasizes the importance of individual and collective contentment, happiness, loyalty, coöperativeness, and general morale among the working forces. There is room for debate as to whether we have not gone a bit far in our attempt to mechanize human life—to convert an employee into a sort of living robot.

The new system attempts to dispel from the worker's mind the all-pervading idea that it is just another speeding-up process to foster continually mounting production at the expense of individual peace of mind. It aims rather to infuse into the mind of the

output or of his efficiency. He wants to know for himself, in plain everyday language, in what respects he is failing and what his good points are—in short, he wants to see himself as others see him. This, briefly, is the essence of the new plan, the basis of which has been called the Probst Service Report.

PROBST SERVICE REPORT

The Probst Service Report consists of an 8½ x 11 sheet, containing about one hundred descriptive items of character traits, habits, work qualities, and personality. These items are chiefly of outstanding traits—not average—and they have been carefully selected through scientific research and a process of individual experimental

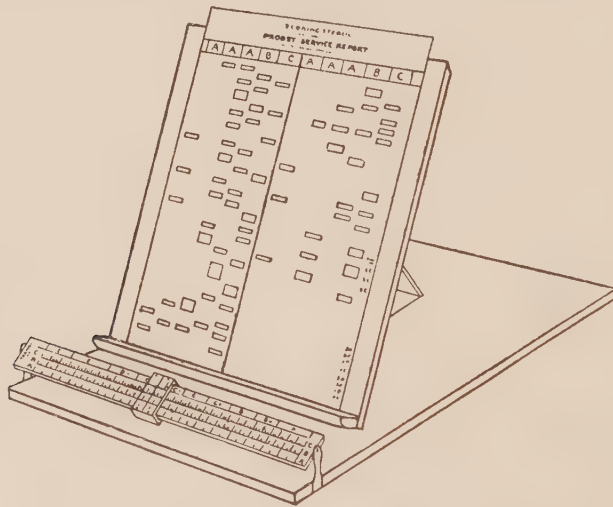


FIGURE 1.—SCORING AND RATING DEVICE FOR USE WITH THE PROBST SERVICE REPORT

employer the thought that employees, stimulated by a natural and impersonal rating process, will unconsciously respond by improving not only the quantity of their output but likewise the quality. The employee is not satisfied merely to know that some central office maintains a detailed and statistically overworked record of his

testing and elimination. Columns are provided in which supervisory officers, usually three, check those items that particularly describe the employee. The number of items checked is optional with the reporting officer, except that he must check only those traits that he knows are characteristic of the employee. The reports so checked

for a group of employees are then evaluated by means of a scoring device as shown in Figure 1.

The unusual accuracy secured with this system is due largely to a formula which translates the raw scores—secured by means of triple scoring stencils—into proper letter ratings. The scoring device is simple, easy, and rapid in operation, and makes the stencil scoring and the formula calculations a mechanical process. The final ratings for the employees are expressed in letters ranging from A+ down to E—, in eleven steps.

SALIENT FEATURES

Some of the salient features in the plan have been enumerated as follows:

- (1) The items in the report are expressed in everyday language.
- (2) The plan is simple and easy to use, and meets with the general approval of department heads.
- (3) It is easily understood by the employees, and at once appeals to them because of its fairness and its freedom from any secretiveness.
- (4) It relieves the operating head of the distasteful task of determining the actual rank or rating that his employees should be given, as the formula rating device does this for him.
- (5) It serves as a barometer for the employee, showing by his successive ratings in what direction he is moving, and why.

After the plan had done local trial service for about two years, it was tested on a large scale through a series of nation-wide experiments carried on for two years with the aid of financial assistance from the Spelman Fund of

New York and under the sponsorship of the Bureau of Public Personnel Administration. The system was to go under fire and definitely prove its value statistically, as well as in a common-sense, practical manner.

SYSTEM WITHSTANDS NUMEROUS TESTS

These experimental tests embraced approximately 12,000 workers—including clerks, physicians, engineers, teachers, inspectors, skilled and unskilled laborers, policemen, fire fighters, machine operatives, social service workers, and many others. The reports came from various cities, from coast to coast, from Canada, from the public service, and from private industry. Of the many ratings and tests made, the following might be mentioned:

- 519 ratings for the Los Angeles Water and Power Department in 1929; and a further set of 3,039 ratings for the same department and city in 1930.
- 2,886 ratings for the city of Cincinnati.
- 499 ratings for Duluth, Minnesota, in 1929, and a further set of 668 ratings for the same city in 1930.
- 413 ratings for the Lincoln Park Commission of Chicago.

The high degree of reliability and validity, the unusual consistency in normal mean and median ratings, and the satisfactory frequency distribution are all matters of record.¹

As an illustration of typical results there is reproduced in the table below the ratings for a group of social service workers. The ratings in Column 3

¹ A detailed explanation of the system—its construction, operation, results, reliability, validity, etc.—is given in the book on "Service Ratings," published jointly by the Civil Service Assembly of the United States and Canada and the Bureau of Public Personnel Administration, 923 East 60th St., Chicago.

represent the best obtainable independent estimates of the service value as judged by a number of supervisors in conference. Column 2 shows the ratings determined from the checked reports by means of the scoring-rating device.¹

| Column 1 Employee identification | Column 2 Probst rating | Column 3 Supervisors' Conference rating |
|--|------------------------------|--|
| 1 | A | A |
| 2 | B | B |
| 3 | B | C+ |
| 4 | B | B |
| 5 | C+ | C+ |
| 6 | C+ | B |
| 7 | C+ | C+ |
| 8 | C+ | B |
| 9 | C+ | C+ |
| 10 | C+ | C+ |
| 11 | C+ | C+ |
| 12 | C | C+ |
| 13 | C | C+ |
| 14 | C | C+ |
| 15 | C | C |
| 16 | C | C+ |
| 17 | C | C+ |
| 18 | C | C |
| 19 | C | C+ |
| 20 | C— | C+ |
| 21 | C— | C+ |
| 22 | C— | C |
| 23 | C— | C |
| 24 | C— | C |
| 25 | D | D |
| 26 | D | C |
| 27 | D | D |
| 28 | E | E |
| 29 | E | E |
| 30 | E | E |

A few of the comments by those who made an analysis of the results in the city where this experiment was conducted read as follows:

The reports were taken from many different superiors in many different organizations. . . . Speaking generally, supervising case workers

¹ Correlation between Columns 2 and 3 = +.922 ±.018 with S.D.₂=1.82 and S.D.₃=1.82.

come in close contact with their subordinates and may be counted upon to rate these subordinates more accurately than an average group of superiors. We considered it a fair test of the worth of the reports to re-submit the ranking which they gave to a conference of the supervisors. . . . Of the thirty people studied in this experiment, the final estimate of the superiors differed by as much as a full letter from the Probst ranking in only two cases. . . . As the criterion of efficiency we decided to accept the Probst Reports without qualification. Any attempt to modify their estimate even by a plus or minus led us into a realm of guessing where we could not analyze, judge or check.

ACCURATE RESULTS

In another city the local authorities made their estimates in terms of actual rankings, and produced the following (for twenty public school teachers):

| Employee identification | Probst ranking (According to numerical scores) | Ratings based on the average judgment of three supervisors |
|----------------------------|---|--|
| A | 1 | 2 |
| B | 2 | 4 |
| C | 3 | 1 |
| D | 4 | 3 |
| E | 5 | 5 |
| F | 6 | 7 |
| G | 7 | 9 |
| H | 8 | 6 |
| I | 9 | 10 |
| J | 10 | 8 |
| K | 11 | 11 |
| L | 12 | 14 |
| M | 13 | 12 |
| N | 14 | 16 |
| O | 15 | 17 |
| P | 16 | 13 |
| Q | 17 | 15 |
| R | 18 | 18 |
| S | 19 | 19 |
| T | 20 | 20 |

The following table ranks thirteen junior account clerks. Here a comparison can be made between the Probst ranking and both the average and the individual rankings by the three supervisors.

THIRTEEN JUNIOR ACCOUNT CLERKS

| Employee | Judgment ranking by supervisors | | | | Probst ranking |
|--------------|---------------------------------|----|----|------------------|----------------|
| | A | B | C | Average of A-B-C | |
| JAC-1 | 1 | 1 | 1 | 1 | 1 |
| JAC-2 | 3 | 3 | 2 | 2 | 2 |
| JAC-3 | 2 | 2 | 12 | 4 | 3 |
| JAC-4 | 6 | 4 | 3 | 3 | 4 |
| JAC-5 | 5 | 13 | 4 | 8 | 5 |
| JAC-6 | 7 | 9 | 13 | 11 | 6 |
| JAC-7 | 4 | 5 | 11 | 5 | 7 |
| JAC-8 | 9 | 10 | 9 | 10 | 8 |
| JAC-9 | 11 | 8 | 8 | 9 | 9 |
| JAC-10 | 8 | 7 | 6 | 6½ | 10 |
| JAC-11 | 13 | 11 | 10 | 13 | 11 |
| JAC-12 | 12 | 12 | 7 | 12 | 12 |
| JAC-13 | 10 | 6 | 5 | 6½ | 13 |

Similar results might be quoted through many pages. In these experiments the most accurate criterion available for comparison consisted of the averaged judgments of supervisors. It will be noticed that when there is a pronounced difference between the Probst ranking and the average judgment ranking it is generally because of serious disagreement among the individual rankings by the supervisors, as, for instance, in the case of employees JAC-5 and JAC-6. It can be easily imagined that supervisors B and C could have a merry debate as to the relative service value of employee JAC-5.

WHY THE SYSTEM WORKS

The unusually accurate results produced with this system are due primarily to the fact that (1) the service report sheet gives a clear-cut trait picture of each employee, and (2) the formula for evaluating this picture is so constructed that the employee consistently falls into his proper group rating. The following incident, quoted from *Service Ratings*, illustrates how accurate a trait picture is really obtained with this report:

How accurate a trait picture do we get of the

employee with the new service report? This question was most effectively answered by H. H. Cox, chief of the Division of Power House and Station Operators in the Los Angeles Water and Power Department, who told of an experience he had with the new plan. Two of his supervisors brought to him one morning twenty report sheets for him to check. The two supervisors had checked the sheets in Columns 1 and 2. The sheets were placed before him face down, and as he glanced at the items already checked on the top sheet he remarked to his men that "this sheet must be of Mr. So and So." Turning the report over, this proved to be correct. His curiosity aroused, he then tried to identify the remaining men by merely looking over the items checked on the reverse side of each report. His count showed that he correctly identified sixteen of the twenty men in this manner. If a word picture of a man's work habits and personality can be so accurately portrayed, then it would seem that the only remaining problem is to evaluate properly that picture in terms of a letter rating or other symbol.

Investigations have proved that the human mind, unaided, cannot analyze, compare, and evaluate at one and the same time a large number of individual traits and qualities, and express accurately the result in a single, out-and-out judgment rating. Just as a modern calculating machine, however, can hold the many necessary figures of an elaborate computation or formula and

produce the correct final result, so the scoring device with this rating plan likewise brings to a focus through its scoring stencils and formula scales all the checked items reflecting the employee's character, habits, work qualities, and personality, and translates

these into a single letter rating, and it does its work with the same ease and precision as the calculating machine.¹

¹The complete system has already been officially adopted for the state service in California, for the Los Angeles city service, and for the state service in Wisconsin.

OREGON'S RECENT EXPERIENCE WITH A PARTY CONVENTION

BY JAMES D. BARNETT

University of Oregon

Because of death of a candidate for election as governor it was necessary to resort to a party convention to nominate a successor. The conduct of the convention did not inspire confidence in this method of making nominations. :: :: :: :: :: :: :: :: :: ::

THE direct primary law of Oregon, as amended in 1929, provides that the respective party committees shall fill vacancies among the candidates nominated at the primary election. Thus the death of George Joseph, the Republican nominee for the office of governor soon after the primary election of May, 1930, automatically transformed the Republican state committee into practically an old-time party convention. Friends of the old system hoped that the experience of the committee might be so happy as to insure the re-establishment of the old convention or some approach to it.

The committee held its sessions at Portland on Friday and Saturday, July 25 and 26. But the members arrived a little earlier, and with them politicians and observers of every stripe from all corners of the state. The composition of the state committee is based upon representation of counties as units, and it results that eastern Oregon, very sparsely settled but

containing exactly one-half of the counties, possesses a power out of all proportion to its party strength—one-half of the votes in the committee, though furnishing less than one-seventh of the party registration. Justly or not, eastern Oregon is fully persuaded that it does not get a "square deal" from the rest of the state, either in party affairs or in legislation. So it looked, for a while, that the Eastern bloc might dominate the proceedings of the committee and dictate the selection of a candidate from eastern Oregon. Just how much influence the bloc exerted is not clear, but it is interesting to note that the two most important officers of the state committee elected and the candidate nominated for the office of governor were all from western Oregon—from Multnomah County, which has only one member on the committee, or one-thirty-sixth of the voting power, but lists over a third of the registered Republican voters of the state.

COMPOSITION OF PARTY COMMITTEES

Since generally the various party committees, especially the precinct and county committees, have very little substantial to do, the office of precinct committeeman is, quite naturally and quite generally, not much sought after—at times no candidates for the office appear on the ballot. Thus it results that not only the members of the precinct committees but of the other committees, made up of the precinct committees or of their representatives, are, generally speaking, rather politically obscure and without the politician's usual characteristics and experience. This was apparently the case, for the most part, with this state committee. Most of the delegates were probably unacquainted with each other and the general run of politicians of the state. They seemed to want to keep away from each other and from their multitudinous advisers a good deal, and seemed to be very non-committal all around. There was no telling what would happen, it would seem, in spite of contrary opinion expressed since the meeting adjourned.

The first session on Friday afternoon was very brief and was devoted wholly to organization, and this was all effected without contest, perfunctorily, and in short order. One of the rules adopted at the evening session aroused much controversy: "The vote [on candidates] shall be taken by ballot." It would have been hard for the committee to do anything better calculated to deliver it into the hands of insurgents and Democrats. Various unworthy motives have been charged to account for the rule, but perhaps the best explanation is that the committeemen had been so "pestered" by various aspirants that they preferred to "do good by stealth." A number of political leaders, including some of the

strongest candidates, tried to prevent the mischief, and it has been roundly condemned by leading "regular" Republican papers.

RESOLUTIONS CONSTITUTED A
"NEAR-PLATFORM"

The same evening a set of "resolutions," recommended by the committee on resolutions, was adopted without discussion, including commendation of the deceased Republican candidate for the office of governor, commendation of the administration of President Hoover, federal development of water power in the state, etc. There had been some movement toward the adoption of a regular old-fashioned party platform by the committee, and there was some good precedent for this in both the Republican and Democratic parties since the enactment of the direct primary law. But in view of the fact that there is no provision in the law for such action, and that hitherto attempts to provide by law for the formulation of platforms have failed, it was urged that such action by the committee would be a "usurpation" of authority. But it would seem that there was even stronger reason for this conclusion in the fact that one section of the party had made peremptory demands that the convention should endorse the whole of the policies of the deceased candidate, and that this demand had been as bitterly opposed by others of the party. However, the "resolutions" constituted a near-platform, and the one favoring the *federal* development of water power was practically a repudiation of Joseph's policy of *state* development. Most of the active candidates had submitted more or less comprehensive platforms or statements of their policies, and at least one or two of them had made public campaign addresses.

NOMINATIONS AND BALLOTING

Saturday morning the nominations for the office of governor were made by counties, six candidates being named in brief laudatory speeches. All of the five who were present, under a rule of the committee permitting a nominee to make an address not to exceed ten minutes in length, used this opportunity to speak for themselves as their names were called; but, as remarked by an observer, these speeches "probably had about the same effect on the committeemen as water does on a duck's back."

It had appeared that the choice would be made from among ten of a rather indefinite number of candidates, and that three of these stood by far the best chances. One of the latter became the nominee. It took fourteen ballots to decide the contest. Phil Metschan of Multnomah County received twenty votes, one more than the required majority, on the last ballot, and the vote was immediately made unanimous by acclamation. Julius Meier also of Multnomah County finally received twenty votes, although he had withdrawn before the balloting began. No votes were here received by any of the candidates at the primary election except the runner-up, Governor Norblad, who also had withdrawn. There was much shifting from ballot to ballot.

Political clairvoyants observing these apparent vagaries of the ballot were certain that they understood the "psychology" of the situation, but it is doubtful whether all of the committeemen could explain all their action satisfactorily even to themselves. However, it seemed that "there were half a dozen or more committeemen who shifted their allegiance from candidate to candidate on each recurring ballot, testing out this one and that, until

finally, like a swarm of bees, a majority settled down on Metschan." Of course there could be no general "deliberation" consistently with the secrecy policy even if there could have been under a contrary policy; but always little groups conferred between ballots. When after the eighth ballot a deadlock seemed probable, one of the committeemen said, "An effort was made to try to find a solution by turning to a compromise candidate, but the time was too short." The small size of the committee accelerated mechanical operations, if it could not promote deliberation.

NOMINEE PROMINENT PARTY MAN

The nominee, a conservative Republican, owed his success, probably for the most part, to his long service and prominence in party politics. He was the retiring chairman of the state committee, after holding the office for eight years, and was "the genial host of the Imperial," the grand stamping ground of politicians from remote antiquity; and he was probably better known to most members of the committee, personally or by reputation, than any of the other candidates.

Apparently most of the leading candidates frankly sought the support of committeemen, directly or through their agents or both, before the meeting and during the period of the meeting. Candidates felt more or less sure of a certain number of votes before the balloting began. But apparently most of the committeemen were not pledged either directly to candidates or indirectly through instructions from the county committees. However, it is certain that great pressure was brought to bear upon the committeemen and that they were from the beginning continually besieged by politicians of all sorts and by various groups. "Advisers" from home followed some of

them to Portland. Particularly since the close of the convention, charges that it was infected with the "machine" methods and general bad politics incident to the old-time convention have been made, but not much concrete evidence has appeared to substantiate the charges. The unfortunate secret ballot was conducive to a good deal of suspicion. There were no closed caucuses of the committee. The eastern Oregon bloc held at least one closed caucus. A closed caucus of the committeemen who are also "service" men discussed the possibility of nominating a service man "in the event of a dark-horse situation developing at the convention," and apparently a selection was made for the purpose. There were rumors of "deals" among small groups of delegates not openly arrived at. The committee seemed wholly "leaderless" from start to finish. There had been a possibility of manipulating to some extent the organization of the state committee in favor of particular candidates, for eleven of the members were not chosen until after Joseph's death. And charges of manipulation have been made, but the evidence to this effect, if any, has been unavailable.

MEIER WITHDRAWS AND
RUNS AS AN INDEPENDENT

Before the balloting began Meier withdrew from the contest, declaring that the committee had "scrapped" the Joseph policies and used "machine" methods. His withdrawal was some indication that a "bolt" was in prospect, and so it was. Immediately after Joseph's death there was demand that the action of the state committee in naming his successor should be governed by the "party" will as expressed at the primary election. Joseph, one of six candidates, had been nominated by a plurality of one-third

of the votes. On the one hand it was contended that the runner-up, Governor Norblad, was the logical choice. But it was answered that since each candidate has secured only a *minority* of the votes, the committee was absolutely free to make its own choice. Some thought that all the candidates at the primary should be ignored, on the ground that a *majority* had rejected all of them. The governor's retirement from the contest simplified matters. On the other hand, it was maintained that since Joseph and his platform had been most acceptable to the "party," only such a candidate should be chosen who was in full sympathy with Joseph's policies, chiefly state water-power development and home rule in the control of public utilities. But the "minority" argument was here also applied.

However, the Joseph-for-Governor Club, which has been active during the primary campaign, delivered an absolute ultimatum requiring as a condition precedent to its support of any candidate that the nominating committee should "reaffirm without alteration or qualification" the planks of the Joseph platform, and that the candidate nominated should do the same thing. Joseph adherents having received no satisfaction from the state committee, which, they said, had "reversed the result of the recent primary election," an organized movement for an "independent" nomination quickly followed.

An "Independent Political League" was formed, and the League announced a "state-wide" convention for independent action. The convention, a huge gathering, met at Portland the evening of August 7. Various groups besides the League were represented. With the leaders of the insurgents, largely "radicals" and "progressives," there was "something new and strange" in an admixture of conservative Re-

publican politicians. Some Democrats were included. Three members of the state committee were among the supporters of revolt. It was generally understood that Meier, long a personal friend and business associate of Joseph, and a champion of his policies though not himself a politician, would be the only candidate considered. Practically the only purpose of the convention was formally to proclaim approval of Meier and the Joseph-Meier program; and this was done.

CONVENTION SYSTEM GAINED
NO PRESTIGE

The quarrel among the Republicans "looked good" to the Democrats, especially since somewhat similar situations had resulted to the advantage of the Democrats before. Even if the Republican vote should be split, one or

the other Republican faction would win over a straight Democratic vote, since the registered Republicans number over twice as many as the Democrats; but it appeared that dissatisfaction with both of the factions might bring many Republicans to the Democratic camp. However, on the other hand, many Democrats were in sympathy with the program of the insurgent candidate; and on account of a factional division within their own party, some were opposed to the Democratic candidate, although, later, the "warring" factions more or less "buried the hatchet." The outcome was absolutely uncertain. The independent candidate was elected by a large majority.

All which does not seem to teach that there is very good reason for the return of the convention system in Oregon.

AMERICAN GOVERNORS SINCE 1915

BY SAMUEL R. SOLOMON

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This study was suggested by an article which appeared in the NATIONAL MUNICIPAL REVIEW in November, 1927, which covered the governors from 1900 to 1910. Since 1910, the office of governor has increased in importance and new powers have been added, so that it is not surprising that the conclusions of this study do not agree entirely with those of the November, 1927, article. :: :: :: ::

IF THE office of governor has not been held in particularly high esteem in former years, the same is no longer true. Today, the governor is the outstanding personality in state politics and administration. "Next to the President of the United States, it is the governor who engages the interest of the voters."

Especially has this been so during the past fifteen years. With the popular election of United States senators has come a greater cleavage between

state and national politics. Voters are discriminating more and more between state and national issues, and are focusing greater attention upon state and local affairs. Moreover, with the movement for administrative reform, they have given the governor greater power, with the result that "he is no longer the mere 'presiding officer' as Jefferson wished him to be—a non-entity or a servant of the legislature as all the early state constitutions except those of New York and

Massachusetts sought to make. He now enjoys executive powers of a high order."¹

Thus, with its enhanced political and social prestige, the governor's mansion beckons more invitingly than ever. What is the path that leads to, and from it? In this paper, the writer has attempted to outline the path that has been taken by our governors for the past fifteen years. Although 232 governors have taken office in that time, this survey, with the exception of political affiliations, is confined to the 209 for whom substantial biographical data could be obtained.²

WHERE THEY COME FROM

Of 209 governors, 117 were native sons, 82 were born in other states, one in Honolulu, eight abroad, and one at sea. Of the number born abroad, two were born in England, two in Canada, two in Germany, one in Wales and one in Norway. In this period, only ten states have elected native sons exclusively, while four of the younger states have chosen solely from "outsiders."

EDUCATION

At least 135, or 64 per cent of the group, have attended or graduated from some college or university. Most of these took the liberal arts and law course. Nine were elected to membership in Phi Beta Kappa.

Of the remaining seventy-four, thirty-two got as far as the public high school; six attended both public and private schools; three, private schools; seven, academies or seminaries; sixteen, normal schools; five, business schools. Two went the route of the district school, while a New York

parochial school claims a sole son in former Governor Smith. Only two of the group style themselves as "self-educated."

A MARRYING MAN

The governor is a marrying man. Very few of the group have failed to take with them a First Lady of the State to grace the executive mansion. His Excellency is also a proud father, the number of respective "juniors" ranging from one to twelve.

VOCATION

Most of the governors have, during their careers, engaged in more than one occupation. Some have tried their luck at as many as four and five. The occupations which first attracted the future executives are distributed as follows:

| | | | |
|------------------|----|-------------------|----|
| Law..... | 86 | Railway clerk.... | 2 |
| Education..... | 18 | Coal dealer..... | 2 |
| Finance..... | 15 | Auto dealer..... | 1 |
| Farming..... | 10 | Clothing..... | 1 |
| Ranching..... | 7 | Reporter..... | 1 |
| Manufacturing... | 7 | Forester..... | 1 |
| Engineering.... | 6 | Laborer..... | 1 |
| Editing..... | 5 | Well driller..... | 1 |
| Printing..... | 4 | Inventor..... | 1 |
| Real estate..... | 4 | Irrigation..... | 1 |
| Clerking..... | 3 | Electrician..... | 1 |
| Medicine..... | 2 | Hardware..... | 1 |
| Lumber business. | 2 | Miscellaneous.... | 14 |
| Mining..... | 2 | | |

PARTY AFFILIATION

Of the total group of 232, 115 are claimed by the Democrats, while 113 have ridden on the Republican Elephant. There have been one Progressive, two Progressive Republicans, and one Independent. The latter (Nestos of North Dakota) was re-elected as a Republican. Twelve states (including the "solid south") rank 100 per cent Democratic in this period, while only half as many states have been solidly Republican.

¹ Beard, C. A. *American Government and Politics*. p. 558.

² Sources: *Who's Who in America, World Almanac*; Volumes from 1915 to 1929.

PUBLIC AND POLITICAL EXPERIENCE

The public offices held by our governors-to-be, like their vocations, represent a wide and varied range of abilities and interests. Most of them have held more than one office, while only twelve have held no office of some public character. In addition, the great majority of them have been

schooled in political sagacity through state party committees, national conventions, and state constitutional conventions. I shall list first the range of public offices held, next, the office first held, and finally the office held at the time of, or immediately preceding, election to the governorship. In each case, a division is made between federal, state and local offices.

PUBLIC OFFICES HELD

Federal

| | | | |
|----------------------------------|----|-------------------------------|---|
| Congress..... | 17 | U. S. Marshall..... | 1 |
| District Attorney..... | 3 | Commissioner of Forestry..... | 1 |
| War Food Administrator..... | 3 | Collector of Revenues..... | 1 |
| Postmaster..... | 1 | U. S. Senate..... | 2 |
| Assistant Secretary of Navy..... | 1 | Bench..... | 4 |

State

| | | | |
|--|----|---------------------------------------|---|
| Lower House..... | 75 | State Printer..... | 2 |
| Upper House..... | 55 | Board of Equalization..... | 1 |
| Both Houses..... | 32 | President State R. R. Commission..... | 1 |
| Lieutenant Governor..... | 37 | Commissioner of Forestry..... | 1 |
| Bench..... | 23 | Secretary of Agriculture..... | 1 |
| Secretary to Governor..... | 5 | Warden, State Prison..... | 1 |
| State Auditor..... | 4 | State Corporation Commissioner..... | 1 |
| Secretary of State..... | 3 | Superintendent of Schools..... | 1 |
| Speaker..... | 3 | Public Service Commissioner..... | 1 |
| Governor's Staff..... | 3 | Highway Commissioner..... | 1 |
| State Engineer..... | 3 | Banking Commissioner..... | 1 |
| President Constitutional Convention..... | 3 | Chairman Public Utilities..... | 1 |
| President, Senate..... | 2 | Chairman Board of Law Examiners..... | 1 |
| State Comptroller..... | 2 | Commissioner of Education..... | 1 |
| State Tax Commission..... | 2 | Solicitor General..... | 1 |

City and County

| | | | |
|---------------------------|----|------------------------------|---|
| Mayor..... | 25 | City Treasurer..... | 2 |
| State Attorney..... | 16 | City Commissioner..... | 1 |
| City Attorney..... | 10 | City Clerk..... | 1 |
| City Council..... | 9 | Sheriff..... | 1 |
| County Attorney..... | 7 | Police Commissioner..... | 1 |
| Prosecuting Attorney..... | 5 | City Assessor..... | 1 |
| Bench..... | 4 | County Assessor..... | 1 |
| County Clerk..... | 3 | Country Auditor..... | 1 |
| City Auditor..... | 2 | City Water Commissioner..... | 1 |
| City Collector..... | 1 | | |

FIRST OFFICE ENTERED

Federal

| | | | |
|------------------------|---|-------------------------|---|
| Congress..... | 5 | Food Administrator..... | 1 |
| District Attorney..... | 3 | Forester..... | 1 |
| Postmaster..... | 1 | | |

State

| | | | |
|---------------------------|----|--------------------------------|---|
| Lower House..... | 50 | Secretary of State..... | 1 |
| Upper House..... | 23 | Secretary of Agriculture..... | 1 |
| State Engineer..... | 3 | State Tax Commissioner..... | 1 |
| Governor's staff..... | 3 | State Comptroller..... | 1 |
| Lieutenant Governor..... | 1 | Bench..... | 1 |
| State Printer..... | 1 | Superintendent of Schools..... | 1 |
| Warden, State Prison..... | 1 | Secretary to Governor..... | 1 |

City and County

| | | | |
|---------------------------|----|------------------------|---|
| Mayor..... | 17 | County Clerk..... | 3 |
| City Council..... | 9 | City Treasurer..... | 2 |
| City Attorney..... | 8 | City Auditor..... | 2 |
| State Attorney..... | 7 | City Commissioner..... | 1 |
| County Attorney..... | 5 | City Clerk..... | 1 |
| Prosecuting Attorney..... | 5 | County Auditor..... | 1 |
| Bench..... | 4 | County Assessor..... | 1 |

LAST OFFICE BEFORE GOVERNORSHIP

Federal

| | | | |
|-----------------------------|---|----------------------------------|---|
| Congress..... | 9 | Assistant Secretary of Navy..... | 1 |
| District Attorney..... | 3 | Collector of Revenue..... | 1 |
| U. S. Senate..... | 2 | Postmaster..... | 1 |
| Bench..... | 2 | U. S. Marshall..... | 1 |
| War Food Administrator..... | 2 | | |

State

| | | | |
|--|----|---|---|
| Lieutenant Governor..... | 34 | Secretary of State..... | 3 |
| Senate..... | 26 | Chairman Public Utilities Commission..... | 1 |
| House..... | 9 | Secretary to Governor..... | 1 |
| Bench..... | 9 | President R. R. Commission..... | 1 |
| President Constitutional Convention..... | 3 | Board of Equalization..... | 1 |
| State Treasurer..... | 2 | Commissioner of Forestry..... | 1 |
| State Tax Commission..... | 2 | Superintendent of Schools..... | 1 |
| Territorial Legislator..... | 2 | Public Service Commissioner..... | 1 |
| Secretary of Agriculture..... | 1 | Banking Commissioner..... | 1 |
| Attorney General..... | 1 | Highway Commissioner..... | 1 |
| President School Board..... | 1 | State Engineer..... | 1 |
| Comptroller..... | 1 | Board of Law Examiners..... | 1 |
| Warden..... | 1 | Solicitor General..... | 1 |

City and County

| | | | |
|---------------------------|---|------------------------------|---|
| Mayor..... | 7 | City Water Commissioner..... | 1 |
| City Council..... | 5 | Sheriff..... | 1 |
| City Commissioner..... | 1 | County Judge..... | 1 |
| Police Commissioners..... | 1 | | |

As has been said, the above figures represent a wide range of legal, administrative and legislative experience in all branches of governmental work. Our governors have spent from none to forty-five years in public office before

winning their gubernatorial campaigns, the average length of service before election being from ten to twenty years. The governor is thus fairly well along in years when he reaches the executive mansion, the range of ages

being from 36 to 73, the majority falling between 45 and 60, and the most popular age being 50.

At least 60 of the 209 have served two terms. Nine (Holcomb and Trumbull, Connecticut; Ritchie, Maryland; Groesbeck, Michigan; Burnquist, Minnesota; Cox and Donahey, Ohio; Christianson, Minnesota; Philipp, Wisconsin) have served three terms, one (Smith, New York), four and one (Hunt, Arizona), six terms.¹ Most of the reëlections have been won in states with biennial elections. The second terms, for the most part, have been served consecutively, although several governors have staged a comeback after two, three, and even more terms out of office. (J. B. McCreary, of Kentucky, was reëlected after thirty-two years out of office.) Five governors have died while holding office; four have been impeached, three of whom were removed and one (Frazier) was recalled and defeated at a recall election in North Dakota. Frazier was later sent to the United States senate by the same state.

¹ The above data as to terms in office were prepared before the results of the November election were known. In that election governors and former governors fared as follows:

Reëlected to the governorship, 12. Hunt, Arizona (after one term out); Adams, Colorado; Parnell, Arkansas; Gardiner, Maine; Ritchie, Maryland; Bryan, Nebraska (after three terms out); Balzar, Nevada; Winant, New Hampshire (after two terms out); Shafer, North Dakota; Pinchot, Pennsylvania (after one term out); Case, Rhode Island; Emmerson, Wyoming.

Defeated for reëlection to governorship, 5. Phillips, Arizona; Young, California; Allen, Massachusetts; Weaver, Nebraska; Cooper, Ohio.

Governors elected to U. S. senate, 2. Long, Louisiana; Bulow, South Dakota.

Former Governors reëlected to U. S. senate, 2. Capper, Kansas; Keyes, New Hampshire.

Governor elected to congress, 1. Weeks, Vermont.

Defeated for U. S. senate, 2. McMaster, South Dakota; Davis, Kansas.

WOMEN GOVERNORS

The female of the species have twice invaded the inner sanctum of the governor's office, in both instances after their respective husbands had occupied the chair. Mrs. Nellie T. Ross was elected governor of Wyoming to succeed her deceased husband, while Mrs. Miriam A. Ferguson won at the Texas polls in the same year, running on a platform of vindication for her husband, impeached in 1917.

The place of women in American politics is still a moot question. What can we say of our women governors?

Whether or not we are going to elect more of them is, of course, difficult to foretell. State administrative and legislative procedure is a vigorous matter, to say the least. Although the voters of a state have been willing to give the executive more power, the legislators are by no means as willing to allow the governor free and untrammelled exercise of that power. Thus almost any legislative session has potentialities of a pitched battle between the governor and his legislative opponents. And legislators and lobbyists feel just a bit uneasy with a woman in the chair. They do not play the political game in the manner to which they are accustomed. So these legislators and lobbyists breathe a heavy sigh of relief when a woman is succeeded by a man.

HIS EXCELLENCY, THE GOVERNOR

Let us now summarize briefly the educational, social and political background of the individuals who have been at the executive helm of our states since 1915. About three out of five have been native sons. More than half of them have gone to college. Forty-one per cent were lawyers by profession. Others entered teaching, finance, business, farming, and engineering. Practically all of them mar-

ried and established successful homes. Many of them entered public office by way of the state legislature. Other favorable ports of entry have been state and local administrative positions. From these offices they were promoted to higher legal and administrative positions which served to bring them further into the political limelight. The lieutenant governorship has been the most favorite stepping stone to the chief-executive's chair. The governor has usually been reelected in two-year term states. Having served from ten to twenty years in public office before becoming governor, he is usually of middle age. Political honors have been evenly divided between the two major political parties.

That, in short, has been the path leading to the executive mansion. What is the path that leads from it? In 1927, Austin F. Macdonald made this comment regarding American governors.¹

"The governorship may sometimes be a stepping-stone to fame; usually it is a toboggan to political oblivion. Greater emphasis on the administrative function of the governor is needed."

Mr. Macdonald's observation is based on a study made of the governors from 1900 to 1910, one hundred and eighty-seven in number. He says of this group that "seventy per cent never held public office after leaving the governor's chair. This is in striking contrast with the eighty-four per cent who held office previously." He goes on to say that, of the one hundred and twenty-five who held state offices before becoming governor, only nine returned to serve their state after their term in the executive chair. "In other words," Mr. Macdonald concludes, "the number of years a governor can remain on

the state payroll is limited for all practical purposes by the number of years he can remain governor. Once he vacates that office, his public career is likely to be over, unless he enters the service of the federal government. . . ."

This situation is readily explained, as even Mr. Macdonald intimates, by the fact that, after serving in the highest office that his state has to offer, the governor is rather reluctant to "step down" to a subordinate state office, even though it may command a higher salary. Having once tasted the sweets of executive power, the governor looks about for more worlds to conquer, and the federal government—congress, the senate, the cabinet, the diplomatic corps, and even the presidency, offers an opportunity. It is only natural that the governor should point his political guns in the direction of Washington. If he is defeated for federal office, or, if he has tired of legislative and administrative worry and responsibility by the end of his gubernatorial term, he returns to his former occupations and hobbies, to his farm, ranch and trout-brook.

LATER SERVICE WITH FEDERAL GOVERNMENT

Nineteen of the 209 here reported upon have gone to the United States senate. One became vice president, and then, president of the United States. Two were defeated for the presidency, three for the vice presidency. Two were candidates for presidential nomination. At least four have been defeated in senatorial campaigns. One was appointed minister plenipotentiary to Siam; another, ambassador to France. Other important federal appointments have been: secretary of agriculture (2); assistant secretary of treasury; first assistant postmaster-general; U. S. commissioner of reclamation; U. S. commissioner of

¹ Austin F. Macdonald, "American Governors," NATIONAL MUNICIPAL REVIEW for November, 1927. (Reprint.)

land offices; U. S. board of mediation; U. S. railroad labor board; special assistant to the attorney general; adviser to the secretary of the interior on the Colorado River; collector of the port of Providence; chairman of the Port of New York Authority; St. Lawrence waterways commission; U. S. treasury commission on gold production; federal farm board (2); federal judge (2).

Excluding 27 governors who have since died, and the 48 present incumbents, this means that at least 34 per cent of the available group have advanced to, or have tried for, federal offices, a rather remarkable achievement when we consider that the

majority of them have but recently relinquished the governorship. More, therefore, can be expected of the group. Moreover, an ex-governor is almost always a potential candidate, not only for federal office, but for reelection to the governorship.

As the years pass, and more of the state governments are reorganized to correspond with the governor's new power and position in state politics, the governorship will in all probability become more and more "a stepping-stone to fame" and less and less a "toboggan to political oblivion." Indeed, governors of the future may well be satisfied with the fame attached to gubernatorial success.

RECENT BOOKS REVIEWED

COUNTY GOVERNMENT AND ADMINISTRATION.

By John A. Fairlie and Charles M. Kneier.
The Century Co., New York, 1930. 600 pp.

Only within the last few years has the subject of county government been considered as worthy of inclusion in a university curriculum. It is doubtful whether at the present writing there are more than half a dozen universities in which a student may enroll for a course in county government.

This neglect of the subject, it may be freely admitted, has been partly due to the lack of adequate literature. Indeed, if we mention Professor Fairlie's earlier book, *Local Government in Counties, Towns and Villages*, published in 1907, and that of Professor Porter, *County and Township Government in the United States*, we come to the end of our rope. No other book planned as a textbook existed prior to the publication of this volume. (And it is sad to contemplate what might have happened to many an instructor, mired in the swamp of county government without a text!) This, of course, should be taken in no way to reflect upon those excellent studies of county government in a single state by Wager, Anderson, Kilpatrick and others.

Stimulation of interest in county government, and the inclusion of this subject within the pages of more college catalogues, is bound to follow publication of this book. Consequently, it is not going too far to say that this book marks a milestone in the progress of our efforts to do something about the county—indubitably the worst of all phases of American government. That it will be but the first of a series of such books is hardly open to question.

The authors have done a splendid pioneer job in gathering facts from all sections of the country. There is an amazing amount of information between the covers. And it is well organized, indexed and documented—a needless comment to all who are familiar with the painstaking and scholarly thoroughness of the senior author.

It is perhaps this very merit that is the book's chief handicap. Invaluable for reference purposes, it will be criticized by some because of the meticulousness with which the authors have marshaled every fact, occasionally, perhaps, at

the expense of their valuation of those facts. One could wish also that more attention had been paid to the consideration of various solutions to the problem presented by the artificial county area and its headless, inefficient administrative organization. All the possible "outs" have been dealt with, but some of them very briefly. However, in saying so much, what are we doing but asking Messrs. Fairlie and Kneier to write another book? For it would be difficult indeed to suggest what ought to be left out of this one. The authors have probably acted wisely in cutting their cloth according to their pattern and leaving the field of experimentation and speculation to others, or at least to other books.

On the other hand, a most significant contribution has been made in the authors' keen observation of developing tendencies in county government. One of the most interesting of these lies in the state selection and state control over the local selection of county officials.

In the redistribution of county functions, the authors see possibility for improvement in county government. They refer not only to a transfer of functions from the county to the state but from the county to some other area of local administration, as, for instance, the joint carrying out of certain functions by adjoining counties, and the creation of local districts for special purposes.

With respect to county home rule, the authors emphasize that "any home rule grant should stress the freedom to select the form of governmental organization rather than freedom in the exercise of governmental powers. It seems open to question whether home rule should be granted to counties to the same degree that it has been granted to cities."

Finally, too much emphasis can hardly be placed upon the fact that the authors have done a huge piece of work. In almost any other field of government, they could have produced a book with much less effort. When one recalls that there are 3072 counties in this country, with an almost unbelievable variation in their powers, and in the titles and the functions of their officers, the size of the undertaking becomes evident.

HOWARD P. JONES.

CIVIC ATTITUDES IN AMERICAN SCHOOL TEXTBOOKS. By Bessie L. Pierce. The University of Chicago Press, 1930. 297 pp.

With only enough thread of comment to string the quotations together a book is here achieved that is literature, as well as political science. The mere quotations many of which individually appear blatant or naïve, taken together, become invested with a cold irony that is superb. Mr. Mencken has overlooked a mine of ore for his "Americana" in the history textbooks of our country which are here dispassionately sampled by Dr. Pierce.

Most of the book is taken up with exhibits which show the views an American child unconsciously absorbs concerning the character of the peoples in other countries, and of the generations which have preceded him on this continent. All the first are pretty black and the latter's white is only faintly sullied. Only a few pages are directly concerned with the points of view towards current internal and local problems, so that very little light is thrown on why New York children ardently support Tammany Hall when they are old enough to vote, or why Chicago school boys tell teacher that they think Al Capone is a bad citizen but reveal admiration for him in the games they invent and play. But when the uncritically patriotic basis revealed in the bulk of the quotations is taken into account, the reason for emotional rather than intelligent reactions to graft and machine politics becomes clearer.

The textbooks on civics, sociology, and "problems of democracy" appear to be soberer and more critical than do histories and "readers," and quotations from these texts show that sanity and common sense has got a foothold. Munro and Ozanne, Beard and Bagley, Reed, and many others make a really creditable showing.

Heretofore municipal reformers have concerned themselves mainly with structure and mechanism, making only a general appeal to the citizenry to accept their suggestions. This book reveals that a pressing need is to equip young America with a realistic approach to the history of their own and other countries and to current problems within their country and its cities. No better preparation can be had for such textbooks than to read this book for the errors of predecessors are exposed to full light and the direction to take is indicated more plainly than any didactic advice is capable of.

W. J. MILLARD.

TAX RACKET AND TAX REFORM IN CHICAGO. By Herbert D. Simpson. Institute for Economic Research, Chicago, 1930. 287 pp.

As Chicago emerges from its long continued and complicated tax dilemma, there appears a complete report of the situation, beginning to end. This volume is certainly to be considered as a succinct statement of the peculiar, or at least particular, situation, together with all of its complications, existing in Chicago. It portrays the extent to which maladministration of the general property tax may go in large cities.

The book is the record of a study undertaken to determine the quality of assessments found in Cook County, the conditions disclosed, measures taken in the direction of correction, and problems for which a solution must yet be found.

Part I discusses the study undertaken and the results disclosed. More than merely portraying the variations existing in Chicago assessments—which, of course, exist in other cities throughout the country though possibly in less degree—it presents a thorough and carefully checked working procedure and approach toward the study of equality. This alone is sufficient to justify the volume, without the general interest which should be found everywhere in such an important matter of taxation.

Part II relates the hectic events from the first order for reassessment, through the reassessment, the creation of the citizens' committee, and the remedial measures undertaken, appropriately titled, "Tax Relief." But small space is devoted to the actual work of reassessment, after its having once been undertaken.

The final division, Part III, sets forth proposals for securing efficient and equitable assessments. Perhaps all would not agree with all of the measures proposed, but they at least deserve consideration, and, as the author states, are being suggested in answer to a definite situation, not as a general treatise on methods and forms.

It is difficult to visualize how the book could escape being of general interest to all students of taxation. To "researchers" there may be some disappointment in the limited notice given to the monumentally constructive efforts of the director of the Chicago Bureau of Public Efficiency, as evidenced in analyzing the reports of the citizens' committee.

The book contains a bibliography, index, and is well supplied with tables and charts.

LOREN B. MILLER.

Detroit Bureau of Governmental Research.

THE DEVELOPMENT OF AMERICAN POLITICAL THOUGHT. By William Seal Carpenter. Princeton University Press, 1930. vi, 191 pp.

Professor Carpenter has performed a useful service for students of American institutions in presenting this compact and scholarly study of the background and development of the traditional principles of American political theory. These fundamental doctrines, the social contract, balanced government, democracy, individualism and majority rule, are taken up in successive chapters, placed in their proper historical setting and analyzed as to their practical significance in the development of the American system of government.

Each of these basic concepts is treated realistically from the point of view of its actual limitations and of the part it has played in the growth of American political institutions. The contract philosophy, borrowed by the founding fathers in their search for justification of rebellion, still continues, Professor Carpenter points out, as an unconsciously revered basis of social organization. The separation of powers idea, so sanguinely embraced by the early constitution-makers, has been given effective reality, he holds, by the development of judicial control over the constitutionality of legislation. "The intense cultivation of the principle of individualism," due largely to the peculiar characteristics of the nation's early economy, has served the purposes of expediency in the hands of both liberal and reactionary leaders.

The realization of the democracy contemplated in the Declaration of Independence is presented not as a reflection of the spirit of the cautious constitution-makers of 1787 but as an achievement of more recent times. Many students of American institutions, however, will question Professor Carpenter's statement that "the growth of democracy in the United States cannot be referred in any great degree to economic influences." The devise of majority rule, so commonly accepted as an American political axiom, is shown to have been an evolutionary development rather than a principle fundamental to popular government in 1787.

The American people, in other words, have paid little attention to abstract political speculation. Nor have our leaders permitted speculative theories to interfere with practical statesmanship. From time to time basic ideas and concepts have been resorted to as useful weapons in close-fought political contests, or as a

means of justifying accomplished facts. While failing in any systematic development of abstract speculation, however, the American people have not been lacking in ingenuity whenever the occasion arose to put political theory to constructive use.

FRED L. BIRD.

Municipal Administration Service.



REPORT ON A SURVEY OF THE ORGANIZATION AND ADMINISTRATION OF THE STATE GOVERNMENT OF NEW JERSEY. Prepared by the National Institute of Public Administration, New York City, 1930. 381 pp.

This report was prepared pursuant to a joint resolution adopted at the 1929 session of the New Jersey legislature. The resolution authorized, in addition to an audit of the state finances, a detailed study of the functions, personnel, and methods of the various departments, boards, commissions, institutions, and agencies. The survey was conducted under the general direction of A. E. Buck of the National Institute of Public Administration.

New Jersey, unlike its close neighbors, New York and Pennsylvania, has never attempted a general reorganization and integration of its administrative machinery. As a consequence, the administrative structure today consists of no less than thirty-two single, independent officials and seventy-two boards and commissions, a total of ninety-four agencies. Executive supervision and direction are entirely lacking in the New Jersey arrangement. "The governor is not in a position from the standpoint of organization to control the administration. He is practically without the aid of a modern financial system—there is no central accounting to speak of; the so-called budget system is scarcely worthy of the name; and unified tax administration is almost totally lacking. There is no coöperation, in the real sense of that term, between the various departments and agencies; and the governor is without legal authority to coördinate their effort and activities."

The recommendations of the report deal a body blow to the prevailing board system of administration. The plan outlined proposes the establishment of thirteen major departments, as follows: Executive, finance, taxation, agriculture, labor, public welfare, health, public works, conservation, public utilities, banking and insurance, law, and audit. These departments would all be under the direction of single com-

missioners appointed by the governor, with the exception of the department of audit, which would be headed by the comptroller appointed by the legislature. Among the numerous boards and commissions eliminated by the plan would be the state highway commission, the sixteen separate boards of managers for the sixteen state institutions, the board of public utility commissioners, the civil service commission, the budget commission, and the state house commission. Agencies of the board or commission type established or retained would include a standardization committee in the department of finance, a board of review in the department of taxation, an advisory board on agriculture, an advisory health council, a court of parole of three members in the department of public welfare, a board of education and licensing and examining boards in the department of education. Constitutional, as well as statutory, changes would be required to adopt the plan in its entirety.

The report analyzes the methods and procedure of the operating agencies in considerable detail, criticizing some and praising others. Exceptionally well presented is the analysis of the defects of the existing parole system. Frankness and directness characterize the report. This is well illustrated in the chapter on purchasing. Specific contracts are discussed in detail to show how the state house commission is subject to political influence and is swayed by political considerations in the expenditure of the state funds.

The reviewer believes the report embodies essentially sound principles of state administrative reform. Some would be inclined no doubt to question the wisdom of changing over from such a completely disintegrated piece of administrative machinery directly to one so highly integrated. But experience has demonstrated the validity of the principles applied. Particularly in a state so highly urbanized as New Jersey, centralization of administrative control seems entirely feasible and very desirable.

MARTIN L. FAUST.



REPORT TO THE GOVERNOR AND THE LEGISLATURE OF NEW JERSEY OF THE STATE AUDIT AND FINANCE COMMISSION. Trenton, 1930. 58 pp.

This is an incomplete and fragmentary document evidently designed to represent the conclusions of a special committee authorized to report a scheme of administrative reorganization

and consolidation. It is without a doubt a disappointing report, when one makes note of the fact that the commission admits in its introductory statement that it has utilized every available source of information, including the report of the National Institute of Public Administration. It is replete with inconsistencies and non-sequiturs; it is awkward and crude; it shows signs of hasty preparation and poorly thought-out conclusions. It is pretty clear at various places that the commission harbored a contempt for expert opinion.

A few illustrations will indicate the character of the report. In the section on the governor, emphasis is given in the introductory paragraphs to the centralization of executive control under the governor. But in succeeding paragraphs we have such sentences as the following: "The form is of small moment. . . . The notion that the Governor should make every appointment, presumably on the assumption that he is responsible only for his own appointees is specious. His duty is to oversee the faithful execution of the laws by every executive officer, board and commission, constitutional as well as statutory, regardless of whether appointed by him or not. The manner of appointment is a matter of policy. Enforcement of the laws is a matter of duty."

An example of confusion worse confounded is the recommendation of the report that the present state house commission of three members be abolished, and that in its place there be established a state executive commission, which shall consist of the governor, the treasurer, the president of the senate, the speaker of the house of assembly, the chairman of the senate appropriations committee, and the chairmen of the house of assembly appropriations committee. "This commission as an executive committee will execute the legislative fiat and determine the times, conditions and circumstances which warrant the applications of legislative mandates or permissions."

The report does give considerable emphasis to the desirability of an executive budget system and a system of centralized purchasing. These are the bright spots in it. But it is difficult to realize how either one or both of these reforms can be made effective, unless the machinery of administration be integrated and consolidated, certainly to a much greater extent than it is at present.

MARTIN L. FAUST.

REPORTS AND PAMPHLETS RECEIVED

EDITED BY EDNA TRULL

Municipal Administration Service

The Annexation of Territory by Cities.—Frederick N. MacMillin. 1930. 17 pp. Mr. MacMillin prepared for the League of Wisconsin Municipalities an outline of procedure and forms for the annexation of territory by cities. It has been checked by their legal counsel and by city attorneys who have had experience in annexation. The procedure suggested is more detailed than is required by Wisconsin law, but such precaution is considered wise. The section on procedure includes excerpts from the leading court decisions on the subject. The forms cover annexation petition, affidavit of city engineer or surveyor, census of electors in territory involved in annexation, affidavit of the taker of this census, census of the property owners, affidavit of taker of this census, ordinance of annexation, proof of publication, and certificate of annexation. (Apply to League of Wisconsin Municipalities, University of Wisconsin, Madison, Wisconsin.)

✻

A Proposal for the Classification and Compensation of Employees of Suffolk County.—Boston 1930. 52 pp. Under legislative provision the budget commissioner of Boston was directed to prepare, for submission to the city council, plans for classification of Suffolk County employees, as a basis for adjustments of compensation, to be effected for 1931 salaries. The budget department in a five-month study, listed positions, analyzed the work with both individuals and department heads, considered salaries for similar work in Boston, determined rules for administration of the classification and compensation plans, and presented the resulting grouping of positions, record of duties and salary recommendations to the council. This study by the Boston Budget Commission, applied to county employees, is another record of the constant adjustment and reconsideration of salary schedules. (Apply to the Budget Commissioner, Boston, Massachusetts.)

✻

The Preparation of Zoning Ordinances.—Department of Commerce, Washington, D. C. 1931. 70 pp. The Division of Building and Housing has issued a new guide to municipal officials and others in the arrangement of provisions in zoning regulations. After giving a

brief history of the spread and desirability of zoning, suggestions are made for the preparation of ordinances, with outlines as to form and possible wording for those sections subject to uniformity. Sections are included on definitions, districting non-conforming buildings, administration, and validity of the ordinance. (Apply to Division of Building and Housing, Bureau of Standards, Department of Commerce, Washington, D. C.)

✻

The Proposed Establishment of a City Board of Education.—Chattanooga Bureau of Governmental Research, 1930. 21 pp. Chattanooga is one of two large cities which have no board of education, and this report deals with the proposal to abolish the position of commissioner of education and place a board in control of the city school system. The report points out the advantage of a board, freed of the routine administrative duties of the commissioners, and having time to study school needs and formulate forward-looking educational policies. As to the financial independence of such a board, there are citations of the practice in other cities and quotations from various authorities, with the conclusion that the value of financial independence of the board of education is secondary to the need for final determination of expenditures by a single body, the city council or commission. (Apply to Bureau of Governmental Research, Chamber of Commerce, Chattanooga, Tennessee.)

✻

Centralized Purchasing.—Russell Forbes. 1931. 40 pp. This pamphlet, sub-titled "A Sentry at the Tax Exit Gate," is published to answer in a complete, concise and authoritative manner the many inquiries for information as to the desirability and practicability of the application of centralized purchasing to the procurement of supplies, materials and equipment for governmental agencies. The average government of today spends 20 to 30 per cent of its current operating budget on the purchase of supplies, materials, and equipment. Delegating to one office the purchase of these, for use by all the branches of the organization is a combination of logic and economics which has well-defined advantages, which are briefly described and

explained here. (Apply to the National Association of Purchasing Agents, 11 Park Place, New York City.)

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Report on the General Bonded Debt of Wyandotte County, the City of Kansas City, Kansas, and the Board of Education.—Bureau of Governmental Research, Kansas City, Kansas. 1930. 54 pp., with tables and charts. These three different groups of elected officials are all empowered to issue bonds which are, practically, the obligation of the unit of Kansas City. It is for this reason that their bonded debt is considered as a whole. Bonds have been regularly used to finance permanent improvements, and the prospect of future bond issues presents the need of consideration of the results of this system of financing. Comprehensive proposals for study by public and civic bodies are set forth. (Apply to Bureau of Governmental Research, Chamber of Commerce, Kansas City, Kansas.)

*

Survey of the Privately-Owned Car Plan of Municipal Transportation.—George A. Terhune. 1930. Department of Public Works, City of Los Angeles. 21 pp. The city council of Los Angeles requested in 1929 an investigation of the high cost of transportation for city work, especially the rentals of privately-owned automobiles on a mileage basis and trucks on a contract basis. This pamphlet is a summary of the reports on the various phases of the privately-owned car plan, and includes data secured from other cities. The author recommends a continuation of the rental of cars of municipal employees on mileage-rate basis, with an added compensation for the regular transportation of additional passengers or equipment rather than the acquisition of a fleet of city-owned cars. He also urges the unified supervision of automotive equipment under the jurisdiction of the department with a superintendent of transportation responsible for its efficient operation and maintenance. (Apply to City Engineer, Los Angeles, California.)

*

Report of Marketing Board to the Saint Lawrence Power Development Commission.—Albany, 1931. 68 pp. The St. Lawrence Power

Development Commission appointed by Governor Roosevelt was assisted by technical advisers for marketing, engineering and legal aspects. This is the report of the marketing board under the direction of John Bauer and John P. Hogan. Assuming the acceptance of the plan submitted by the engineers, the problem of the marketing board centered about the use of some 6 or 7 million kilowatt hours of electrical energy generated by New York State. The commission considers the best use of such power would include use at the site by continuous industry and the distribution of the balance in the existing market along with power from other sources which could supply the fluctuations in load. This would necessitate state contracts with existing utilities for transmission that the small consumer, too, might benefit from the state project. The report contains diagrams and tables showing seasonal loads, consumption per consumer now and as estimated for 1937, with costs for generation and transmission in private companies and municipally-owned plants, with their rates. The report concludes that there will be ample market for St. Lawrence power at the rates, and under the conditions proposed, with a sufficient continuous load to take the entire output soon after the earliest possible completion of the plant. (Apply to Secretary of State, Albany, New York.)

*

Report on the Cost of Administration of Criminal Justice in Rochester, New York.—Washington, 1931. 38 pp. This report, which was prepared by the Rochester Bureau of Municipal Research, is published as a guide to the investigators who are making studies for other cities in connection with the project of the National Commission on Law Observance and Enforcement, and is worked out on the basis of the commission's manual, although the Rochester report is not to be taken entirely as a model for such studies. Of the \$1,385,799 expended for criminal justice in Rochester in 1929, 79.5 per cent was spent for police, 4.4 per cent for prosecution, 5.1 per cent for criminal courts and 11 per cent for penal and corrective treatment. (Apply to Sidney P. Simpson, Esq., 61 Broadway, New York City.)

JUDICIAL DECISIONS

EDITED BY C. W. TOOKE

Professor of Law, New York University

Police Power—Ordinances Vesting Discretionary Power in Local Legislative Bodies.—

Three recent decisions, handed down by the courts of New York, Massachusetts and Wisconsin respectively, uphold the validity of ordinances which leave to the local ordinance-making body the exercise of discretion in granting or refusing permits. In *City of Albany v. Newhop*, 246 N. Y. Sup. 100, the ordinance prohibited the slaughtering of cattle, sheep or swine in buildings within certain prescribed territory without permission of the common council. This ordinance was enacted under authority of a statute giving the council power to legislate "for the preservation of good order peace and health, for the safety and welfare of its inhabitants and the protection and security of their property." In *Ryder v. Board of Health of Lexington*, 173 N. E. 580, the board of health made an order of prohibition of the plaintiff's piggery because of non-compliance with the rules and regulations adopted by it under the statutes conferring upon such boards the power to remove all nuisances, sources of filth and causes of sickness within the town. In *Lerner v. City of Delavan*, 233 N. W. 608, the ordinance upheld by the Supreme Court of Wisconsin forbade the keeping of a junk yard without a permit from the city council, to which the charter gave the power "to license and regulate . . . keepers and proprietors of junk shops and places for the sale and purchase of secondhand goods, wares and merchandise." In each of these cases the objection was raised that no rules or regulations creating a standard were prescribed upon compliance with which permission might be obtained and that, therefore, the ordinance in question was arbitrary and discriminatory and consequently void.

It is universally held that businesses which are plainly nuisances in populous districts may be restrained or prohibited subject to the discretion of the local law-making body to which the statutes commit the regulatory power. In all three of the above cases, the ordinance regulated the maintenance of businesses which the law recog-

nizes as legitimate but of such a nature that they may become nuisances in congested localities. Such businesses are subject to regulation under the local police power, whether such power is expressly delegated or implied from a general grant. The ordinance may fix a standard of conduct compliance with which will entitle the owner to a given use of his property, but on the other hand the local law-making body may, if it sees fit, prohibit the use, reserving to itself the exercises of its discretion in individual instances as they may arise. The exercise of the power of regulation by this latter method is subject only to the constitutional limitation that the discretion shall be reasonably and not arbitrarily exercised (*Yick Wo v. Hopkins*, 118 U. S. 356; *Fischer v. St. Louis*, 194 U. S. 361). In each of the three above cases, the secondary question before the court which determined the issue was whether sufficient evidence had been introduced to overcome the presumption that the discretion of the council or board of health had been reasonably exercised in the given instance.

These cases do not contravene the general rule that police ordinances, penal in their nature or regulating the exercise of a common right must set up a standard of conduct for the guidance of individuals, a rule which follows from the fundamental principle that all powers delegated to municipalities must be reasonably exercised. Thus, while the control of traffic on the public highways must be exercised by passing local laws establishing regulations (See *McConville v. Jersey City*, 39 N. J. L. 38 and the recent Virginia case of *Thompson v. Smith*, 154 S. E. 579), the use of the streets for non-street purposes as for assemblies or for moving buildings may be prohibited or made subject to the discretion of the authorities (*Love v. Judge of Recorder's Court*, 128 Mich. 545; *Wilson v. Eureka City*, 173 U. S. 32).

The apparent conflict in the authorities on this subject is largely due to the varying scope of the police power of the state as indicated by its legislation. In recent years the tendency of legislation has been to greatly expand the scope of the

police power, and the powers of municipalities either by specific delegation or by implication undergo a corresponding expansion which the courts are bound to recognize. (*Euclid v. Ambler Realty Co.*, 272 U. S. 365; *Commonwealth v. Parks*, 155 Mass. 531). See, also, *City of San Antonio v. Rubin*, 42 Fed. (2d) 107.



Schools and School Districts—Extent of Power to Prescribe Qualifications of Teachers.—The Supreme Court of Washington in *Seattle High School Chapter v. Sharples*, 293 Pac. 994, affirmed a judgment refusing to grant an injunction to the plaintiff, a local chapter of the American Federation of Teachers, to restrain the directors of Seattle School District No. 1 from enforcing a resolution adopted by the board, to the effect that no person while a member of the American Federation of Teachers shall be employed or continued in the employ of the district and that any person before being appointed a teacher shall be required to sign a declaration stating that he or she is not and will not become a member of the Federation during the term of the contract.

The court holds that under the plenary power delegated to the district "to adopt and enforce such rules and regulations as may be deemed essential to the well-being of the schools," the board has the power to fix the terms of the contract it may enter into with those seeking employment as teachers. As the statutes of Washington limit the term of employment in all cases to one year, no question of the invasion of existing contract rights was involved. The decision of the court was rested upon the doctrine of freedom of contract and the delegation of plenary power to the board to fix the qualifications of teachers.

Whether the powers thus delegated to the board are subject to be exercised reasonably and with due regard to the reasonable freedom of conduct of the employee may be open to question. Upon this point the opinions of eminent justices of the Supreme Court have often differed. While such doubts exist, the remedy is by legislation restricting the power of school boards to make such regulations. It is to be noted, however, regulations similar to those of the Seattle board have been upheld in Illinois and Ohio (*People ex rel. Fursman v. Chicago*, 278 Ill. 318, 116 N. E. 158 and *Frederick v. Owens*, 35 Ohio Cir. Ct. R. 538). Such examples of arbitrary action by local school authorities are a strong argument

in favor of statutes creating a central administrative control over schools and prescribing the qualifications and tenure of the teachers.



Special Assessments—Ad Valorem Taxes for Public Improvement not Based on Special Benefits.—In a decision handed down January 5 the Supreme Court held that no rights guaranteed by the federal constitution were invaded by the erection of special improvement districts by a state and the imposition of the cost of the improvement on all the property, real and personal, within the district upon an ad valorem basis (*Memphis and Charleston Railway Co. v. Pace*, 51 S. Ct. R. 108). The Supreme Court of Mississippi had held that the district had been validly created, a decision on state law binding upon the federal courts. The district was created as a permanent agency of the state with continuing authority to provide and maintain suitable highways. The only question before the court, therefore, was whether the tax thus laid was so arbitrary or discriminatory as to come within the inhibitions of the Fourteenth Amendment. The contention of the plaintiff was that the roads for which the special tax was assessed would be of no benefit whatever to it. The court held that the tax was a general one, spread over the entire district upon an ad valorem basis, and, therefore, its validity did not depend upon the receipt of any special benefit by the taxpayer.

The protection of the Fourteenth Amendment can be invoked against a tax imposed by a state agency, acting under a delegated power, only if it be palpably arbitrary (*Houck v. Little River District*, 239 U. S. 254; *Valley Farms Co. v. Westchester*, 261 U. S. 155) or manifestly and unreasonably discriminatory (*Gast Realty Co. v. Schneider Granite Co.*, 240 U. S. 55; *Road Improvement District v. Missouri Pacific R. R. Co.*, 274 U. S. 188).



Torts—Statutory Liability of School Districts.—In *Morris v. Union School District*, 294 Pac. 998, the Supreme Court of Washington reversed a judgment of the lower court which had sustained a demurrer to the complaint, demanding damages for injuries sustained in a football game. The complaint alleged that the plaintiff while in a weakened physical condition was ordered by one of the teachers, acting as a coach with the knowledge and consent of the school directors, to participate in a game in which he suffered severe and permanent injuries.

The decision that the complaint stated a cause of action is supported by previous decisions based upon the local statute, holding a school district liable for the injuries to pupils caused by negligence of the teacher in charge of athletic activities (*Howard v. Tacoma School District*, 88 Wash. 167, 152 Pac. 1004; *Bruenn v. North Yakima School District*, 101 Wash. 374, 172 Pac. 569). Similar decisions have been rendered in California, which also has a statute imposing liability in tort upon school districts. In New York in the absence of statute school districts are held liable for injuries to pupils resulting from failure of the board itself to exercise due care in the selection and care of apparatus which the pupils are compelled to use or in the supervision of a school building (*Herman v. Board of Education*, 234 N. Y. 196, 137 N. E. 24; *Lessin v. Board of Education*, 247 N. Y. 503, 161 N. E. 160), but not for injuries resulting from negligence of teachers who without authorization of the board undertake the direction of athletics (*Katterschinsky v. Board of Education*, 215 App. Div. 695, 212 N. Y. S. 424). In England the common law liability of public agencies of the state is extended to cover injuries to pupils resulting from the negligence of teachers (*Smith v. Martin*, 2 K. B. [1911] 775, Ann. Cas. 1912A, 334). The enactment of statutes similar to those in Washington and California is being strongly urged and should be approved as an advance step in social legislation.

✱

Zoning Ordinances—Effect on Existing Restrictions.—The effect of the adoption of comprehensive zoning ordinances upon restrictions previously imposed by eminent domain was before the Supreme Court of Minnesota in *State ex rel. Madsen v. Houghton*, 233 N. W. 831. The

court held that the later comprehensive zoning ordinance did not relieve any property already restricted by condemnation of the proposed use. The method of condemnation for restriction of use adopted in Minnesota in 1915, while declared to be constitutional (144 Minn. 1) was found unsatisfactory and zoning statutes were enacted in 1921 and 1923, which were upheld by the state courts and by the Supreme Court (273 U. S. 671). The case is in accord with the decisions that hold that restrictions imposed by private covenants are not affected by zoning ordinances.

✱

Zoning—Right to Continue Non-conforming Use in Restricted Districts.—In *Jones and Jones v. Los Angeles*, decided December 31, 1930 (reported U. S. Daily, February 2, 1931) the Supreme Court of California holds that the comprehensive zoning ordinance of that city excluding sanitoriums from certain restricted districts is invalid so far as it applies to such institutions already lawfully established and in operation at the time the ordinance was enacted. The opinion of the court by Judge Langdon points out that under the evidence in the case the business conducted by the plaintiffs was in no sense a nuisance and that its exclusion, therefore, cannot be justified under the zoning power. In holding that the plaintiffs were entitled to an injunction against the threatened enforcement of the ordinance, the court follows the great weight of authority in this country, that a use actually instituted lawful in its inception and actively and constantly maintained may not be put an end to without compensation by the enactment of zoning ordinances. The reader may be referred to the opinion of the court for an exhaustive list of authorities sustaining its conclusion.

PUBLIC UTILITIES

EDITED BY JOHN BAUER

Director, American Public Utilities Bureau

ST. LAWRENCE POWER DEVELOPMENT

The most important recent event affecting public utilities is the report of the St. Lawrence Power Development Commission, presented to the legislature and the governor of the state of New York on January 15. The following summary may be made of the fundamental points established by the report:¹

(1) The St. Lawrence power project is feasible as an engineering proposition, at an aggregate cost of about \$171,000,000. It would provide a maximum of 2,200,000 h.p., half of which would be available to the state of New York.

(2) There would be advantage in public development and operation, including not only the dam, spillways and generating plant, but also the new high tension transmission lines needed to reach the principal centers of electric consumption in the state.

(3) There will be an adequate market in the state to absorb the entire St. Lawrence output, and the power may be transmitted economically to the city of New York as well as to every other important load center.

(4) The direct economic saving in developing St. Lawrence power, instead of an equivalent of steam power, would amount to from \$5,000,000 to \$12,000,000 a year—covering operating expenses, maintenance, renewals, interest on investment and amortization.

(5) The best interest of the state would be served if St. Lawrence power were combined with the other power resources of the state,

so that the entire St. Lawrence output would be used continuously as supplied, and that the variation in load or demand would be provided by other sources—by steam or regulated interior water power.

(6) The transmission and distribution of St. Lawrence power would be most economically effected through the existing utilities (except as to new high tension transmission lines from the plant to the chief load centers), provided that suitable contracts be attained by the state with the distributing companies to protect the consumers—so that the rates shall not exceed the cost of generation and the reasonable additional cost incurred by the companies for final transmission and distribution.

(7) If satisfactory contracts cannot be made with the utilities for the final transmission and distribution of St. Lawrence power, an independent state system may be economically developed, but at reduced economy or advantage to the state at large.

LOW COST POWER

The St. Lawrence offers possibilities of extraordinarily cheap power. The engineering board presented a plan which would eliminate practically all the hazards of construction, at an aggregate cost far below previous estimates. The plant would be located at Massena Point, at the international boundary. The spillway and generating plant would be located on what is now dry ground, and the dam would be constructed after the river has been diverted through the spillways. All the work would be so synchronized as to make operation possible within five years.

There would be a single dam which would provide for a maximum head of about 85 ft. This would provide for a possible two-step development, so that plant operation could begin at a 50-ft. head, making about 600,000 h.p. available, at an estimated cost of \$90,000,000. The second stage would bring the dam up

¹ The complete report consisted of four parts: (1) the formal report of the commission itself; (2) the engineering report, (3) the marketing report, and (4) the legal report. These four documents are printed together in a single volume.

The commission consisted of Robert Murray Haig, chairman; Julius Henry Cohen, Thomas F. Conway, Frederick M. Davenport and Samuel L. Fuller.

The engineering board consisted of Lieutenant-General Edgar Jadwin, chairman, Oscar G. Thurlow and Silas H. Woodward. The marketing board consisted of Col. John P. Hogan and Dr. John Bauer. The legal staff consisted of Kenneth Dayton, W. Charles Poletti and A. Mackay Smith.

to the full load, and would provide for a total capacity of 2,200 h.p. at an aggregate cost of about \$171,000,000. The average annual horsepower available would come to about 1,900,000, and the so-called firm capacity, which can be counted upon during periods of low water, would amount to about 1,400,000 h.p. There would be two generating stations, one owned by the state of New York, and the other by the province of Ontario, so that all the costs and generating capacity would be divided equally between the two.

The aggregate cost of \$171,000,000 includes the entire cost of the dam, which would be needed also for navigation, if and when the joint navigation program is carried out by the United States and Canada. The dam would be needed either for power or for navigation, and thus constitutes a joint cost which should be finally allocated upon a fair basis between power and navigation. Upon such allocation, the total capital charge to power would be materially reduced, and would probably not exceed \$130,000,000. There may, however, be also additional costs to cover riparian rights for which no allowance was made in the estimates.

On the basis of present estimates, which do not provide for any allocation of the joint costs to navigation, the annual costs to New York for power at the site would amount to about \$6,560,000. This would include interest at 5 per cent on the investment, amortization, maintenance, renewals and the cost of operation. On the basis of aggregate output of firm or constant power, produced continuously or at 100 per cent load factor, the cost at the station would come to about 1.4 mills per kwh. for a total of about 5,000,000,000 kwh. This does not include an average of about 1,500,000,000 kwh. a year of so-called surplus or irregular power available in addition to the minimum stream flow. On the basis of the total available current, including surplus, the average cost would come to only about one mill per kwh. This is extraordinarily cheap, and would make possible the development of large, continuous process industries at the site of the plant. There is here the making of a new and very important industrial center near the plant.

For St. Lawrence power to reach the present industrial and population centers of the state requires the construction of major transmission lines to points where the power may be passed on to existing transmission lines. The additional

costs, including interest, amortization, maintenance, renewals and operation, would have to be added to the generating costs at the site, to determine the cost of power delivered to other parts of the state. The aggregate cost, including major transmission, would amount to about 2.8 mills per kwh. at Syracuse at 80 per cent load factor, or 2.2 mills at 100 per cent load factor. For delivery in New York City, the cost would be near 4.5 mills per kwh. at 80 per cent load factor, and near 4 mills at 100 per cent load factor.

COMPARED WITH STEAM COSTS

The direct economic advantage of the St. Lawrence project to the state as a whole depends upon the difference in cost in furnishing wholesale St. Lawrence power, as against an equivalent supply of steam power. The aggregate utility use of the state will probably increase at the rate of nearly 1,000,000,000 kwh. a year. If St. Lawrence power is not developed, then there must be a correspondingly greater construction of steam plants. The basic question of cost, therefore, is, how much cheaper would be future production of St. Lawrence hydroelectric power, compared with future provided steam power?

There is a distinct margin of advantage for St. Lawrence power. At the site of the plant for continuous process industries, the advantage is maximum, and would amount to about 3 mills per kwh. In the interior of the state, as represented by Syracuse, the advantage would be reduced to about 1.5 mills per kwh. because of the requisite transmission. This would be further reduced as the distance of transmission is increased, and would come to less than $\frac{1}{2}$ mill per kwh. for the city of New York. Here the computed margin becomes so small that it may easily be overcome by future development in steam generation.

Among the marketing problems will be the transmitting of St. Lawrence power to New York City. It is assumed that operation could start in 1937. If by that time there were a sufficient market to absorb the entire St. Lawrence output at the site and in upstate load centers, it would not be economical to transmit to New York City. Since the latter, however, by 1937 will probably be connected by private transmission lines with upstate power resources, it will doubtless prove feasible to transmit a considerable proportion of St. Lawrence power

during the earlier years to New York City, until the upstate markets are sufficiently developed to absorb the entire St. Lawrence supply. The New York City transmission lines would then later be available to furnish peak power from the interior water powers, and would thus economize New York City steam investment, which otherwise would be needed merely for local peak requirements for short periods of the year. This coordination of power resources is one of the principal economic features that may be extensively developed through the St. Lawrence development.

COORDINATION OF POWER RESOURCES

The state now has an annual generation of about 5,000,000,000 kwh. from interior water power. A large proportion of this power is subject to regulation, so that it can be used at any time to supplement steam and unregulated water power such as the St. Lawrence. As part of a comprehensive state plan, these regulated water powers should be used principally to meet peak requirements, so as to obviate construction of steam plants to meet short periods of use. The St. Lawrence output should be utilized continuously as available; it cannot be regulated to any considerable extent. The ordinary variation in demand above the St. Lawrence output should be supplied with steam plants located in appropriate load centers, and the exceptional peak demands would be supplied by the regulated interior water power. Such coordination would result in maximum economy for the state, and all power resources would be developed with relation to the total output available from the St. Lawrence.

This state-wide coordination is readily attainable if St. Lawrence power is turned over to the private utilities for distribution in the various localities and for the various needs of the state.

CONTRACTS FOR DISTRIBUTION

Because of the conditions thus presented, the commission recommended that the proposed power authority should enter into contracts with present companies for the final transmission and distribution of St. Lawrence power. This recommendation, however, was distinctly predicated on the provision that reasonable terms will be included in the distribution contracts for the systematic protection of the consumers, particularly the households and the farms of the state.

The marketing report set out particularly the

possibilities of stimulating utilization with the institution of properly designed rate schedules along promotional lines. It pointed out that the present domestic use averages for the state less than 40 kwh. per month per customer, and might be readily increased threefold, or up to 120 kwh. It showed also how rural electrification may be extended and average farm consumption greatly stimulated through proper rate schedules. The gradual expansion of use results in lower average distribution costs per kilowatt hour delivered. The economies thus realized should be systematically computed and passed on to the general consumers. The contracts should thus provide not only for immediate revision of rates so as to pass to the consumers the benefit of cheap St. Lawrence production, but also to pass on systematically in the future, on a definite cost basis, the further economies realized through the promotion of use based upon St. Lawrence contract supervision.

The omission assumed that such reasonable contracts can be attained. The marketing report, however, set out the difficulties that would be encountered, and pointed particularly to the chief hurdle—the present distribution costs and rates of the companies. St. Lawrence power would be carried over the same distribution plant with all other power; so, obviously, the same rates, and the same basis of rates, would have to be provided for the entire business. To fix the distribution costs allowed under the contract for the delivery of St. Lawrence power would apply also to all other current distributed over the same plant by the same organization. The question is, whether the companies will be willing to accept the rates for their entire business that would be acceptable to the state for the distribution of St. Lawrence power.

DISTRIBUTION COSTS

The sheer economy of water power over alternative steam costs never amounts to more than a few mills per kwh. This saving is relatively insignificant in the normal domestic schedules, which usually run to 8 cents per kwh. and over, for the ordinary user. These high rates are due primarily to distribution costs, to excessive overheads, and to unwarranted returns on distribution properties—generating costs are a minor factor. The job, therefore, of getting reasonable rates involves not only low-cost generation, but particularly low-cost distribution. It is in this field where the costs are

most uncertain, and where regulation has been least effective.

If the system of state regulation were adequate and could be readily applied throughout to all classes of costs, there would be no difficulty in the distribution of St. Lawrence power—or in any other large hydro-electric project. It is the absence of effective regulation that has made contracts between the state and the distributing companies necessary. The question, however, arises whether the companies will be any more willing to accept workable standards through the medium of contracts than through the process of general state regulation.

WHAT ALTERNATIVE?

If New York does not succeed in getting contracts that are reasonably satisfactory from the public standpoint, then the state must naturally look for an alternative plan of distribution. The marketing board reported that an independent system could be worked out and made financially self-sustaining, but that this would be at a greatly reduced advantage to the state at large. Such an independent plan would probably use a larger proportion of the St. Lawrence output at the site for continuous process industries, and over a period of years would develop a competitive distribution area within economical transmission distance.

HURDLES TO PUBLIC DISTRIBUTION

American admirers of the Ontario hydro-electric system are, unfortunately, limited in their efforts to duplicate in New York, or elsewhere in the United States, the Ontario form of organization. In New York the St. Lawrence development would furnish immediately a large amount of power for the state agency, but that is only a starting point. The difficulty is that there are already wide ramifications of private transmission lines, and that practically throughout the local distribution systems are owned by the companies. Before a comprehensive pub-

licly-owned and operated system can be put into effect, it would be necessary either to purchase the existing privately-owned properties, or to acquire them by condemnation, or to build competitive plants—and as a prior step it would be necessary to create legal authority and to arouse local interest in every municipality to institute municipal distribution.

To bring about such a state-wide system of publicly-owned and operated properties is, at best, an herculean job. It would require time and enormous effort, and would result in duplications of costs. In the face of this situation, there can be little doubt but that the most economical course would be for the state to utilize the existing companies for the distribution of St. Lawrence power—but, always, provided that reasonable contracts can be achieved!

THREE-PART PROGRAM

But even if such contracts are attained, the public development of St. Lawrence should be regarded only as one part of a three-phase policy, to the end of establishing low rates and making extensive electric utilization attainable for ordinary households. As a second part, it will be highly desirable or necessary for the state to clarify and make effectual its system of regulation. Not all the companies can be reached by St. Lawrence contracts, but all consumers of all utilities are entitled to the protection of the state for reasonable rates and for the attainment of modern use of electricity and other utility services.

As a third part, it will be highly desirable for the state to grant full permission to every municipality to institute public ownership and operation, particularly of the local distribution system. At the present time there are about 50 municipalities, mostly smaller cities or villages, that own their own distribution plant, and, on the whole, have effected remarkable results—which will be surveyed later in this department.

NOTES AND COMMENTS ON MUNICIPAL ACTIVITIES ABROAD

EDITED BY ROWLAND A. EGGER

The Stockholm Statistical Bureau.—The *Statistisches Amt der Stadt Berlin*, under the direction of Dr. Büchner, is well known to students of continental local government. An equally distinguished bureau, the *Stockholm Stads Statistiska Kontor*, is less familiar to American students.

The bureau was founded as an independent service in 1905, although statistical records had been maintained since 1868. The first report, published in 1870, contained a statistical résumé for the preceding biennium, and certain important data for as far back as 1864. The 1930 compendium represented, therefore, the completion of over sixty-five years of statistical recording.

A distinguishing feature of the work of the Stockholm organization is that, in addition to the annual statistical records, the reports have contained from time to time the annexes prepared by commissions of the municipal council, and are hence records of the municipal "surveys" which frequently are a continuing part of local government abroad. It should be mentioned that the work of the bureau constitutes in most cases the basic data for these investigations of local administration.

The law establishing the bureau confers upon it the rather broad function of "collecting, arranging scientifically, and publishing the statistics appropriate to explaining and illuminating communal life, administration, and social and economic conditions in the city of Stockholm." In pursuance of these duties, the *Kontor* actually has prepared and published continuously the annual statistical reports, the yearly report on the administration of Stockholm, a monthly statistical bulletin, a weekly bulletin on sanitary statistics and conditions, as well as frequent bulletins on public health, public assistance, fire and ambulance data, employment statistics, commerce and navigation, industry and commerce, electoral statistics, housing and lodging statistics, and thirteen special studies not classified above.¹

¹ The importance of the collection of material of this nature has been very graphically illustrated in many

The non-statistical publications of the bureau include an annual roster of municipal functionaries and employees, supplemented by a record of the phases of administration not amenable to statistical treatment. The *Kontor* prepares also the record of communal ordinances and laws for the year, as well as an annual compilation of the more important laws in force.

A third type of publication of the bureau, in addition to the statistical studies and the communal manuals, is the miscellaneous group. This may be illustrated by the bureau's study, published in 1913, of the development of Stockholm under the communal ordinance of 1862—one of the best extant treatises on the government of a city, to be compared only with the Royal Commission's study of London, Lavallée's *Paris*, and Beard's *Tokio*.

The more important results of the development of this type of organization are perhaps obvious. While not operating as a bureau of general administration by which the executive exerts supervision and control over the administration, the *Kontor* is the repository of the basic information essential to such control. In addition, it enables the administrative officers to compare their accomplishments with their objectives, and to see themselves as a part of the administrative organism. In this connection, the bureau is able to provide information for comparison and criticism of local projects and expenditures on the basis of experience and costs in other great cities throughout the world. This is possible because it exchanges its publications with similar reports of the governments of other cities. It is thus a clearing house for ideas and facts on every phase of local government and administration. Centralization of statistical and recording work made this possible.

The bureau is under the direction of a board of seven members, appointed by the council. The board selects the director, who is at the present time Dr. J. Guinchard. The organization is

surveys of local government in the United States, and nowhere with more clarity than in the New Jersey survey, a review of which is shortly to be published in this REVIEW.

divided into seven divisions. The employees of the bureau number about 50 persons.

This is a phase of local administration which has received scant attention in American city government. It is apparent, at the same time, that the city's record of development can be kept in no other way. Such a bureau should be an integral part of the effort of any municipality to place its administrative "program," so-called, on something less variable than a purely opportunistic basis.

It should be mentioned that the anniversary publication of the *Kontor* contains an excellent French summary.—*Stockholms Stads Statistika Kontor*, 1905-1930 (brochure).



Public Servants in Great Britain and Germany.—Two interesting compilations of the statistics of public employment have recently appeared. While the two reports are not comparable in details, there are numerous phases of general similarity.

The British statistics are for only the civil service, and exclude local government officers and employees. The civil service, used narrowly as defined by the provision of 1887 which accepted the classification established by the Pensions Act of 1859,¹ is comprised of 434,000 functionaries, classified as follows:

1. Public works employees (marine construction, arsenals, industrial work of the post office, etc.) 122,000.
2. Public attendants, employed chiefly by the post office, 178,500.
3. Messengers, porters, etc., 16,500.
4. All other grades (executive, professional, scientific, diplomatic, consular, etc.) 117,000.

To the total of 434,000 must be added 205,000 employees who do not qualify under the provisions of the Pensions Act, of whom 53,000 are part-time workers. This gives a total of 639,000 persons, excluding the military, in the service of the national government, or almost 1.45 per cent of the island's population. Included in this list are, of course, several thousands of colonial administrators, and the percentage is, therefore, slightly overstated. It is interesting to note that almost one-fourth of the members of the

central services are women. The women employees of the American federal government under civil service number less than one-fifth of the total. Our civil service includes less than one-half of one per cent of the population, but this figure is not comparable for a number of reasons. The British civil service includes a larger percentage of governmental employees than our own, it includes the colonial administrators, and it includes the officials who perform most of the functions administered by the states in America.

The statistics for the *Deutsches Reich* comprehend national, state, and local governments of cities with more than 2,000 inhabitants. This is virtually the whole of the German public service, inasmuch as there are few paid municipal officials in the smaller communities.

Excluding the military, there are 925,718 employees of the governmental units noted above. They are classified as follows:

| | |
|-----------------------------------|---------|
| <i>Reich</i> | 121,509 |
| States..... | 367,822 |
| Cities (excluding Hanseatic)..... | 395,530 |
| Hanseatic cities..... | 40,887 |

Of particular interest are the statistics for the German states. The detailed tabulation of state employees is given:

| | |
|---------------------------------------|---------|
| General administration..... | 34,374 |
| Police..... | 121,401 |
| Justice..... | 69,702 |
| Public instruction: | |
| Administration..... | 2,463 |
| Primary (volks- and mittleren).... | 69,127 |
| Secondary and technical..... | 38,710 |
| Welfare and health..... | 8,229 |
| Agriculture, commerce, and industry.. | 10,431 |
| Transports..... | 7,424 |
| Tax and finance administration..... | 5,961 |

These statistics, too, are dangerous for comparisons. The whole administrative structure in Germany has undergone rigorous rationalization within recent months, and it is possible that many services are, due to the lack of resources, undermanned. Too, the *Reich* Government is highly decentralized, and the states are performing, under its supervision and control, many functions for which it is itself responsible. Finally, the functional allocations in Germany between state and local governments are somewhat different from our own. Two comparisons are essayed, however, and should be taken *con*

¹ The Pensions Act excludes from the Civil Service Crown appointees, and those whose remuneration is fixed directly by Parliament. A subsequent amendment excludes all who do not enter the service by certificate of the civil service examiners.

granule du saline. These are police and education, and are selected from the available statistics because they are functions in which personnel costs form a considerable part of the total, and because they are probably the least effectively and most wastefully administered functions in American cities today.

| | Per 1,000 Population | |
|----------------|----------------------|--------------------|
| | U. S. | Germany |
| Police..... | 1.237 ¹ | 1.947 |
| Education..... | 6.885 | 4.608 ² |

Again generalizations are unsafe, but it would appear not too much to say that the Germans are doing rather a better job with fewer employees in the educational field, assuming the validity of the prevalent critical attitude, on the part of many non-educators, toward the results of American elementary and secondary public education. The difference in criminal statistics, too, probably is not adequately explained by the slightly heavier police percentage of the Germans, and it is quite possible that in this field also they are, man for man, doing a better job. —*Introductory memoranda relating to the Civil Service*, 1930 (Royal Commission Report); *Personalbestand der öffentlichen Verwaltung im deutschen Reich*, 1930, an annex to *Wirtschaft und Statistik*, No. 6, 1930.

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"Safety First" Results in British Isles.—The National Safety First Association of Great Britain is a quasi-governmental corporation. Like, for example, the American National Board of Fire Underwriters or the Red Cross, it has become largely responsible for many basically governmental functions.

Since the recently adopted road traffic act accorded recognition to the association's semi-public character by permitting local authorities to contribute toward its expenses without the prior permission of the ministry of health, the *Municipal Journal* reviews the recent accomplishments of an organization elevated to the status of a governmental adjunct.

From 1921 to 1925 the motor accident rate in

¹ This figure is only an approximation, and was compiled from the figures of about 700 cities cooperating in the compilation of uniform crime statistics.

² This is an adjusted figure, and is probably much too high.

England rose steadily from 35 to 43 per 1,000 motor drivers. With the beginning of the motor accident phase of the society's work, the increase was halted, and the 1925 level has been maintained with only minor variations since. In 1925 there were 82,778 accidents and 1,932,900 drivers. Had the accident increase rate of 1925 been maintained there would have been in 1929 more than 137,000 accidents. There were actually less than 117,000.

Equally striking are the reductions in street accidents not accounted for under the heading of motor vehicles. Annual figures since 1921 follow: 1921, 6,183; 1925, 17,258; 1928, 4,219.

The most arresting accomplishments in prevention for particular cities probably must be recorded for Edinburgh. "While in Great Britain as a whole accidents increased between 1925 and 1929 by 33 per cent, in Edinburgh they decreased by 42 per cent. Had Edinburgh's accident rate increased side by side with that of the rest of Britain, the total for 1929 would have been 2,400. It was 1,138. . . . For every five accidents that happened, seven were prevented."

It is impossible, of course, to attribute this substantial showing entirely to the efforts of the society. At the same time it is the sole organization in England performing this function. The complementary efforts are probably even more disorganized, ineffective, and casual than are our own "safety" programs.

This is a phase of administration which has received considerable attention in the United States. The Federal Children's Bureau, the schools, and various organizations engage in periodic efforts to encourage care. State regulations regarding the licensing of drivers, the testing of headlights, brakes, etc., while lacking in uniformity have, on the whole, been effective. In 1927 there were 21,160 automobile fatalities in the United States; in that year England had only 5,500. But there are 4.6 persons per automobile in the United States, and approximately 33 per auto in Great Britain. From a statistical point of view American streets seem safer. This is in spite of the fact that the small Austin, the English Ford, cannot possibly be regarded as lethal. Here at least is some compensation for a vastly less favorable homicide rate.—*The Municipal Journal*, January 30, 1931.

GOVERNMENTAL RESEARCH ASSOCIATION NOTES

EDITED BY RUSSELL FORBES

Secretary

Recent Reports of Research Agencies.—The following reports have been received at the central library of the Association since January 1, 1931:

Bureau of Governmental Research, Chamber of Commerce, Chattanooga, Tenn.:

Possible Improvements in the City's Accounting System

The Proposed Establishment of a City Board of Education

A Proposed City Purchasing Ordinance

The Organization and Financial Procedure of the Hamilton County Highway Department

Bureau of Governmental Research and Service, University of Kansas, Lawrence, Kansas:

Legislative Procedure in Kansas

Municipal Reference Bureau, Cincinnati, Ohio:

Gasoline and Oil Pipes under City Streets

Bureau for Research in Government, University of Minnesota, Minneapolis, Minn.:

The Administration of Workmen's Compensation in Minnesota

Rochester Bureau of Municipal Research:

Report on the Cost of Administration of Criminal Justice in Rochester, N. Y.

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California Taxpayers' Association.—The Association is sponsoring the passage of a number of bills by the California legislature. These bills will increase the economy and efficiency of California's governments. The following bills have been introduced in the legislature:

Reducing the maximum term of school bonds from forty to thirty years, and the maximum rate of interest which may be paid from six to five per cent, and providing that all premiums and accrued interest must be placed in the sinking fund;

Authorizing county school superintendents to maintain repair departments for the convenience of school districts;

Providing for the broadening of the centralized purchase of school supplies act to include high school districts outside of chartered cities;

Compelling county boards of supervisors to include in some high school district any elementary school districts not now in a high school district;

Raising the minimum number of pupils for which an elementary or union school district may be maintained from five to ten pupils, and for which high school districts may be maintained from ten to twenty-five pupils;

Providing an adequate system for the complete industrialization of California's state prisons without competing with free labor or private industry;

Remedying some of the evils of the special assessment situation in California by providing a debt limitation, adequate preliminary investigation and report thereof to the property owners, together with protest powers by property owners sufficient to halt any proposed project;

Legalizing the photographic method of recording public documents by the counties of California.

The study of the University of California has been completed and has come from the press.

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Cincinnati Bureau of Governmental Research.

—John B. Blandford, Jr., director since its reorganization in June, 1926, resigned his post the first of this year to become director of public safety of the city of Cincinnati. Mr. Blandford has been succeeded by Calvin Skinner who has been associated with the Bureau for the past year.

The Bureau has effected a complete reorganization of the business administration of the school system. A study is now under way which will reorganize the function of maintenance and operation and provide for the important activity of housing research. Recommendations of new policies and methods for the general control of lunchroom operations have been made.

A regional police survey has just been completed by the Bureau, with Bruce Smith as consultant, in coöperation with the Cincinnati Regional Crime Committee. This survey covers

police problems of the region and contains recommendations which will improve police administration through the coöperation of the municipalities in the region.

With the assistance of George B. Buck, consulting actuary of New York City, the Bureau has completed an analysis of the two existing police and fire retirement funds and a proposed fund for general employees.

The program of research for the year 1931 is one primarily of county government. There has been a request for the making of a complete survey and study to include: reappraisal, accounting, tax billing, budget procedure, personnel, county commissioners' office, county hospitals, regional police administration and regional government.



Bureau of Governmental Research and Service, University of Kansas.—The Bureau is now directed by Frederick H. Guild, chairman of the department of political science. The name was changed from Municipal Reference Bureau in 1929 and the supervision was transferred from the extension division to the department of political science.



New Mexico Taxpayers' Association.—Rupert F. Asplund, director, relinquished his duties as state comptroller early in January and is now devoting all his time to the activities of the Taxpayers' Association. During the month of January the Association's efforts were concentrated upon the preparation of the material for the state budget, Mr. Asplund acting as the governor's

budget director for this purpose. During the next few weeks the Association's staff will act in an advisory capacity to those committees of the legislature which have to do with public revenues and expenditures. All bills on such subjects are carefully analyzed for the benefit of those members of the legislature who desire such information.



Schenectady Bureau of Municipal Research.—

As a result of its study of the problem, and after conferences with city officials, the Bureau has transmitted a report recommending the abandonment of the present garbage reduction plant and the purchase and installation of an incinerator to burn mixed rubbish and garbage. In the report emphasis was placed upon the establishment of a bureau of sanitation under the direction of a permanent, technically trained man under civil service regulation. This bureau of sanitation would coördinate all sanitation or waste disposal activities in one department.

The Bureau has recently appointed a committee to examine and report on a new plan of assessing for sewer improvements, proposed by the city engineer. This plan comprises a flat rate on a front foot basis for all sanitary sewers and a smaller flat rate for all storm sewers. It has been the general policy of the city during the past few years to bear the burden of all sewers twenty-four inches or more in diameter and to assess the property owners for all costs of sewers under that size. The proposed plan appears to be more equitable and easier to administer than the one now in effect.

NOTES AND EVENTS

EDITED BY H. W. DODDS

Proposed Change in Wisconsin Primary Law—Governor La Follette, in his message to the legislature on January 15, made one unemphatic suggestion which has attracted more attention than many reforms to which he attaches much more importance. The proposal to declare finally elected to an office any candidate receiving a majority of the votes in a primary and, if no candidate receives a majority, to limit the contest at the general election to the two recipients of the highest number of votes, springs from the unique character of Wisconsin politics.

Wisconsin is a one-party state: that is, her citizens are nearly all Republicans, though the adherents to left and right wing are as partisan as "Democrats" and "Republicans" in other states. A Wisconsin Democrat has been defined as a Republican dissatisfied with the results of the primary. So that the Democratic party always chooses its candidates in the primary in the hope of receiving the disgruntled votes of the "Stalwart" Republicans in case a "Progressive" Republican is chosen, and vice versa.

The Wisconsin primary law has had one feature from the start—the open primary—which cultivates independent voting. Citizens, though they may vote in but one party, are handed a ballot for each party from which to choose one for marking, without publicly declaring a party preference.

In 1926, as the two candidates receiving the highest number of votes for governor, Ekern and Zimmerman, were both Republicans, Ekern was eliminated from the general election. In the legislature of 1927, a bill was sponsored by Mr. Ekern for a new primary law having the "majority election" feature and providing for a new style of ballot to permit a choice among the parties for each separate office.

In 1929, the bill once more failed of passage, and not until this year did it receive more than cursory attention. The minority parties have made indignant protests, and opponents of the present governor have pointed out the unconstitutionality of his plan, in that the Wisconsin constitution provides that state officers must be

elected in November. There is little support for the bill evident in the legislature, although the nonpartisan county election provision and the Massachusetts ballot feature are being spoken of with considerable favor. It has accordingly been modified:

1. To eliminate the possibility of a September election for state offices but to put this provision and a nonpartisan feature in force for county offices.

2. To provide for the selection of candidates through the "Massachusetts" ballot, on which voters cannot signify their choice of an entire party but must vote separately on each office.

Alice Kelly.

Legislative Reference Library,
Madison, Wisconsin.



Low Fare Zone Experiment Being Made in Cleveland.—In Cleveland, under the service-at-cost arrangement of operating our railway system, with the city in control of the service and the Cleveland Railway Company in charge of operation, we have usually found it possible to do some experimenting. It is an old idea that low rates of fare would attract short haul car riders. While this may not be found true generally over an entire system, there may be favorable locations where it would prove successful. The two primary essentials are a demand for short rides, and a frequency of service so that no time is lost between origin and destination. The time element is important, for few people will wait if they can walk to their destination by the time the next car arrives. Euclid Avenue is a general shopping and business district between the Public Square and East Eighteenth or East Twenty-second Streets, where a great many people travel back and forth in the course of a day. It is also a street with frequent car service—all suburban cars from East Cleveland and Cleveland Heights operate on Euclid Avenue.

Purely as an experiment, on July 14, 1930, a 2-cent zone was established from the Public Square to East Eighteenth Street. The regular rate of fare at this time was 8 cents cash, with 7 tickets for 50 cents. No transfers were issued

at the 2-cent rate. It applied to strictly local rides only; all passengers wishing to transfer were required to pay the regular rate. In order to test the efficacy of this low rate in producing more car riders, it was necessary to know what local riding there was in this section before the 2-cent rate became effective; and again, the amount of riding afterward. The earlier check shows that there were somewhat over 3,000 local riders in this zone per day. The check made after the 2-cent zone became effective shows between 9,000 and 10,000 riders per day. This is an increase of approximately three times as many riders. Since the average fare before was $7\frac{1}{2}$ cents as against the 2 cents, we were not breaking even on revenue.

On October 12, 1930, the 2-cent zone was modified and changed. The rate of fare was made 3 cents, and the zone extended from East Eighteenth Street to East Twenty-second Street. Extending the zone had little effect in producing additional car riders, since the territory from East Eighteenth Street to East Twenty-second Street is at the outer fringe of the business district and not as promising territory. The main question, then, is whether the 3-cent fare affected the riding materially. The daily record shows no immediate effect, at least for the month of October. There was perhaps a slight decline for the month of November. The average number of rides remains between 9,000 and 10,000, perhaps somewhat nearer 10,000 in October, and somewhat nearer 9,000 for the month of November.

The primary lesson in the experiment is that low fares do stimulate car riding in favorable territory. It is difficult to be exact in any statement affecting the revenue, since there are natural fluctuations in traffic, and the only basis of comparison we have was established in July, 1930, before the 2-cent fare became effective. We may say, however, that at the 2-cent rate it was not effective as a revenue measure; and that at 3 cents we are at least breaking even, or producing slightly more revenue than we would at the regular rate of fare.

A. F. BLASER.



Financial Difficulties of Detroit Street Railway.

—Detroit's municipal street railway system naturally suffers from political, as well as financial, tinkering in this period of economic depression. In an industrial city, hard hit by unemployment, the street cars have lost so heavy a proportion of

patronage, consisting of factory employees, that a serious financial deficit is faced by the management.

It is now clear that when the city adopted the policy of paying off the 1922 purchase price in ten years from earnings it undertook an impossible task. Until the advent of the economic depression, the city had been able to meet the annual payment of \$1,000,000, as well as increasing her equity in a greatly improved street railway system. Today, however, it is clear that she will be unable to meet from accumulative earnings the final payment of approximately \$7,500,000, due on December 31 of this year.

Colonel Sidney D. Waldon, recognized engineering and financial authority, who has been head of the Detroit Rapid Transit Commission since its organization six years ago, was recently appointed to a vacancy on the Street Railway Commission. Commissioner Waldon immediately began an analysis of the situation and has reported his recommendations to the mayor and council.

According to the charter, the system is to be operated independently as a private corporation, hence it is taxed by the city, county and state, and is charged for paving between the tracks, etc. The new commissioner suggests that these charges may be fair if the system is assumed to be operated as a business project, with the expectation of possible financial profit to the city. "But," he says, "if the purpose is to furnish the people with the best possible transportation at lowest possible costs, then these and perhaps other charges should be eliminated."

The total of these items paid during the last eight years, continues Colonel Waldon, is over \$23,000,000. This sum, he believes, constitutes the car riders' contribution to city taxpayers. It equals all the street car and bus fares collected on all lines for a whole year. It is more than one-third of the value of the whole rapid transit system.

The street railway, Colonel Waldon believes, is as much a public service as municipal water, sewers, pavements, light, police protection or schools. It is not fair that it should be made to contribute to government revenue. Furthermore, special assessments, which are now used to meet a portion of water, sewer and pavement construction, should be employed for street railway extensions also.

Certain charter amendments along the lines of Colonel Waldon's recommendations are under

consideration which may be submitted to popular referenda next fall. These would eliminate costs mentioned above and would raise the municipal bonding limit from eight to ten per cent. Heavy taxpaying interests and opponents of municipal ownership are expected to oppose any change.

The Detroit system, it is recognized, has been operated with comparative success because of its low fare and large volume of patronage. An elaborate system of buses supplements the electric trunk lines. The fare is 6 cents with an additional penny for a transfer; or 9 straight tickets for 50 cents.

W. P. LOVETT.



New York Regional Plan Warns Against Subsidized Housing.—A comprehensive program of housing for the metropolitan New York region, aimed both to improve existing housing conditions and to assure proper safeguards for the future erection of dwellings for over two million additional families is presented in a report on housing published by the Regional Plan of New York.

The following are some of the major recommendations included in the proposed program.

1. The extension of transit lines, water supply and sewage systems into the open areas of the city to encourage the migration of both population and supporting industry from the congested centers, utilizing inexpensive open land and increasing the opportunity to improve the housing that must remain in the centers.

2. Legislation vesting in a city planning commission rigid control over new subdivisions, definitely limiting housing densities and requiring street systems suited to the topography and adjusted to the limited densities rather than to the highest possible densities.

3. The strict enforcement of housing and sanitary laws requiring owners to keep dwellings in a state of repair that will eliminate hazards to health and safety.

4. The demolition of all dwellings which cannot be made fit for human habitation. Reconstruction should be required to conform to adequate standards for wholesome housing, and in the older tenement areas it should be related to a new street plan. The plan should be put into effect piecemeal, as reconstruction becomes effective. New playgrounds and small parks, as well as new streets, should replace many of the hopelessly defective dwellings acquired perhaps under the power of excess condemnation.

5. The encouragement, particularly in the New York state sector of the region, of the organization of more building and loan associations, and the adoption of other measures to help finance the building of homes for individuals who at present find it difficult to secure necessary funds on satisfactory terms. New Jersey is better supplied than New York with such associations.

RESTRICT PUBLIC AID

No public aid should be given to housing on the basis of renting the dwellings at less than their market value, the report states. All new housing should be economic, in the respect that it should yield a fair return on the reasonable investment in building and land. The state and the city should, however, give financial aid in the poorest quarters of the city towards the acquisition of parks and playgrounds, the improvement of sanitary conditions, the widening of streets, and the opening of lanes through congested blocks. It should also encourage the investment of money at a low rate of interest for low-cost housing.

Housing policies in central districts should not be based on the assumption that the low-cost housing must be adjusted to the values of land instead of the reverse. So long as there are accessible areas in the city which can be acquired at a low enough price to permit of wholesome and economic housing, areas that are too dear for the purpose should not be acquired.

When public aid takes the form of financing the building of houses to rent at less than is required to meet the reasonable requirements of private investors, the report states, this eliminates private building of such houses. When rents of existing houses are artificially restricted the effect is the same. When, however, public aid is given toward the purchase of land for parks and playgrounds, or to the construction of public utilities that cannot be made self-supporting, the result is to stimulate private effort in building.



Optional P. R.—Manager Bills in the Pennsylvania Legislature.—Once again the Philadelphia city manager bill, with its provision of proportional representation at large for the election of the city council, seems likely to be a leading issue in the Pennsylvania legislature. But the political conditions under which it must make its way are strikingly different from those under which it

was finally throttled in committee two years ago. In the 1929 session, the state and the Philadelphia Republican organizations, working hand in hand, had both houses of the legislature well in control. In that year it was only a temporary split in the Philadelphia organization which gave the bill a serious chance. This time an independent governor is in control of the house and failed by only two votes in his attempt to organize the senate. The bill's chance, therefore, is dependent on securing the governor's full support and a little support in addition.

Governor Pinchot's public statements on the subject have been few but favorable. Shortly before his election he said in outlining his program for Philadelphia: "Your efforts to substitute a better system providing expert business management of the city's affairs are praiseworthy. They have my sincere sympathy, and they will have my support. The plan of having a trained manager as executive head of the business of a great city has been tried with great success elsewhere. If the people of Philadelphia wish to vote on the question whether they want a city manager, they should have the opportunity to do so, and I shall do all in my power to secure it for them."

The Philadelphia City Charter Committee, which has conducted a constant educational campaign for the bill since its first introduction two years ago, has opened campaign headquarters at 237 South Broad Street and is doing its utmost to take full advantage of the present opportunity. It now has members in every one of the city's forty-eight wards and is backed by a rather impressive list of civic organizations and prominent individuals. The *Bulletin* and *Record* have been campaigning for the bill editorially and none of the papers has so far come out in opposition.

Though the bill has not yet been introduced (February 9), it is already receiving some attention in other parts of the state. The *Harrisburg Patriot* of January 27 carried an editorial on it entitled, "Out of the Wilderness," stressing particularly the benefits of proportional representation in breaking machine control. The editorial concluded: "Anything that will emancipate the Philadelphian from his political captivity is a matter of genuine interest to all Pennsylvanians."

The legislature will also have before it similar optional bills for other municipalities. At this writing only one, to make the city manager

plan with proportional representation optional for all cities except Philadelphia, has been introduced.

When this bill was put in on January 27 by Representative D. Glenn Moore of Washington, leader of the Pinchot forces in the House, it was welcomed editorially by all three of the Pittsburgh papers.

Another bill, to make the manager plan optional without requiring a change in the method of electing the council, is about to go in with the backing of the state Chamber of Commerce. This bill would not affect the three largest cities—Philadelphia, Pittsburgh and Scranton.

Two bills to make the manager plan with proportional representation or P. R. by itself available for boroughs are under consideration by the State Association of Boroughs and may possibly be introduced as Borough Association measures. Boroughs are a numerous group of municipalities ranking between cities and townships.

It is still too early to predict the fate of any of these measures, but all seem to have a good fighting chance.

GEORGE H. HALLETT, JR.

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The Municipal League Movement in Kentucky.—The Kentucky Municipal League is one of the youngest organizations of its kind in the country, yet it is possibly growing and extending its influence more rapidly than some others which have been in existence for many years. It began its existence on May 10, 1929, with eight member cities; at the present time some thirty cities are affiliated with the League, and the number is growing constantly.

The Kentucky Municipal League is sponsored by and receives the major part of its financial support from the University of Kentucky. The individual to whom most credit is due for the organization of the Kentucky Municipal League is Dr. J. Catron Jones, head of the department of political science at the university.

The officers elected at the organization meeting included Mayor C. T. Coleman of Frankfort, president; Mayor W. R. McKee of Mount Sterling, vice president; Dr. J. Catron Jones, secretary-treasurer; City Attorney M. C. Redwine of Winchester, general counsel; and Arthur J. Daley of Newport, W. C. Wilson of Lexington, and Lester Hooe of Morehead, trustees.

The first annual convention of the Kentucky Municipal League was held in Lexington on November 20, 1929, at which some fifteen cities were

represented. The meeting continued for one day only, but the discussion of municipal problems was interesting and lively. The chief speaker for the occasion was Dr. Harvey Walker of Ohio State University.

Most municipal leagues publish either a monthly or a quarterly magazine, but the Kentucky Municipal League has the distinction of being the only league in the United States publishing a weekly magazine. It is a rather ambitious undertaking but the official organ of the League, *The Kentucky City*, has rounded out a year of its existence, and the future of this publication is assured. At present the magazine carries a title page, four pages of reading matter, and two pages of advertisements. Each issue contains two leading articles, a section devoted to city news and miscellaneous matters, and another section given over to the more important judicial decisions relating to municipal affairs. The editor of *The Kentucky City* is Roy H. Owsley, an instructor of political science at the University of Kentucky, and the editorial board is composed of Dr. J. Catron Jones, professor of political science, and Dr. J. W. Manning, associate professor of political science, at the University of Kentucky.

In sponsoring the league, the University of Kentucky is offering itself for any service within its capacity for the cities of the state. It does not attempt to determine the policies of the league, but simply acts as a service agency. The university is furnishing the headquarters for the league, maintaining the municipal reference bureau, and paying the salary of the director of this bureau, as well as making it possible for other members of the department of political science to devote much of their time to the work of the league. President McVey, of the university, believes that the institution should serve the entire state, and the help given the league is a companion service to that rendered by the agricultural extension division and the bureau of economic research.

Within the past few months the membership of the league has grown by leaps and bounds, until now one hundred per cent of the cities of the first class, eighty per cent of the cities of the second class, sixty-three per cent of the cities of the third class, twenty-eight per cent of the cities of the fourth class, and several of the cities of the fifth class are affiliated with the league; and all this is in spite of the fact that the league is just entering the second year of its existence.

JOHN W. MANNING.

The Southampton Civic Survey.—To those engaged in the survey movement, the Southampton Civic Survey has several features of interest. First, it is for England, an unusual case of a survey made by a voluntary body, one of whose express purposes was to collect data for the use of the town authorities in the preparation of the town planning scheme. The immediate occasion was the statutory obligation on the borough council to present to the Ministry of Health a town planning scheme. Further, the Southern Railway Company, which owns the docks, has embarked on a great dock extension scheme which will involve not only an addition of new industrial areas, but an actual shifting of the main traffic lines of the town. It was important that there should be advance consideration of the housing, recreation grounds, and other civic services needed by the influx of population to be expected in consequence of the development. In view of the urgency of the matter, the Southampton Civic Society, a non-party organization, appointed a survey committee to collect the data required for the proper consideration of these matters; the information so gained being passed on to the town authorities for their use. Thus, on important topics such as zoning, house density, and traffic, the survey committee provided basic material on which the authorities could work.

Secondly, while the majority of published English civic surveys have been essentially the work of a single expert, who controlled a number of paid and voluntary workers, the Southampton survey is the result of the team work of people who are specialists in various fields. Some of these were drawn from University College, Southampton. The survey of land utilization was undertaken by Professor Rishbeth of the department of geography; that of geology and zoölogy, by Professor Sherriffs of the department of geology and zoölogy; that of employment, housing, etc., by P. Ford of the department of economics, while the traffic census was carried through by R. Casson of the department of mathematics. The analysis of the results of the traffic census and the survey of open spaces, was made by H. T. Cook, town planning assistant of the borough council. Work on the maps was done by members of the ordnance survey office in their private capacity, while the officials of the Southern Railway and the borough council also assisted in various sections of the report.

Thirdly, the whole work of the survey has been

voluntary. This ambitious attempt at a thorough team survey commenced and carried on its work with a petty cash allowance of five pounds. This has only been possible with an immense amount of voluntary service on the part of large numbers of helpers. College students, school boys, officials of public authorities and business houses and trade unionists, have all given free service. While this organized voluntary work has been a means of stimulating civic spirit the slenderness of financial resources has imposed certain limitations, the principle being that pace has been slower than if the survey had been provided with one or two full-time secretaries.

TRAFFIC CENSUS

Coming to details, the traffic census is an interesting example of the advantages and limitations of the methods used. Partly as a result of the Ministry of Transport Censuses, the use of a classification of vehicles involving over 20 different types has become common in local census work, but too often without adequate allowance for the conditions of recording. It is very difficult to record accurately so many classes of traffic in main city-streets during rush hours, especially where only a single observer is used at each post. The observers and recorders were college students and school boys from the upper forms of two secondary schools. They proved themselves admirable census takers, detailed knowledge of car types being a hobby with some of them. The census itself was taken over a period of fourteen hours at 32 recording posts. As no boy was asked to work for more than one hour at a stretch much depended on the soundness of the organization, and the strict adherence of the boys to their instructions. The census was taken without a single hitch and without an observer being late for a change.

The ascertainment of house density per acre of land used for housing was similarly made by team work. Reproductions of the borough engineer's plans were made, and the 17 wards allotted to members of the team. It was found

that considerable personal visiting was required to check the plans at various points, e.g., in close and congested courts. Incidentally during this work there were discovered small "pockets" of bad housing which had hitherto escaped the notice of those interested.

While the civic survey has been proceeding, the department of economics has been conducting a parallel social survey with resources on the same modest scale. This has included the construction of a "Booth" map for Southampton by assessment of income of the head of the family. Over 21,000 families with dependent children have been classified into eight income classes.

Finally, the survey committee was fortunate in that the headquarters of the ordnance survey office are in Southampton. The chairman and the assistant secretary of the survey committee were drawn from the ordnance survey, so that skilled advice has been available in all map work. In the all important matter of scale and legibility, the Southampton survey has thus had the best technical advice that England can provide. Some of the maps are believed to be the only examples of their kind published in England, e.g., the physical map of Southampton showing contours for every ten feet. It may be added that as the survey proceeded, local collectors brought forward a wealth of excellent old maps, engravings, etc., illustrative of the development of Southampton, only a fraction of which it has been possible to include in the report. One may conclude with a fact discovered by one of the committee in these historical researches, that one Robert Thorne, a local educational benefactor, by a will proved in 1691, left £500 to Harvard College in New England, "for the further propagation of training and piety." Perhaps this sum may be taken as the set-off against the money so generously provided by American trusts to English educational institutions in the twentieth century.

P. FORD, *Editor of the Civic Survey.*
University College,
Southampton.